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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Fourth periodic reports of States parties

THE PHILIPPINES*

* For the initial report submitted by the Government of the Philippines, see CEDAW/C/5/Add.6; for its consideration by the Committee, see CEDAW/C/SR.32, CEDAW/C/SR.33, CEDAW/C/SR.36 and CEDAW/C/SR.37, and Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 45 (A/39/45), paras. 69-124. For the second periodic report, see CEDAW/C/13/Add.17 and CEDAW/C/13/Add.17/Corr.1; for its consideration by the Committee see CEDAW/C/SR.179, and Official Records of the General Assembly, Forty-sixth Session, Supplement No. 38 (A/46/38), paras. 199-223; for the third periodic report, see CEDAW/C/PHI/3.

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Part One

SUMMARY

I. INTRODUCTION

1. The present fourth Philippine report on the implementation of the provisions of the United Nations Convention on the Elimination of All Forms of Discrimination against Women covers the period December 1992 to November 1995.

2. To ensure the participation of non-governmental organizations as well as other government agencies in the formulation of this report, a consultation workshop was conducted on 27 October 1995 and the first draft of the report was sent to pertinent organizations and agencies for validation. During the workshop, participants expressed concern regarding the numerous reports that the country had to prepare with regard to the implementation of international agreements among which is the Convention. They commented that preparing reports took much of their time which they wanted to devote to more substantial work and direct services for women. They, therefore, recommended that the United Nations devise a reporting system such that a country's implementation of international conventions would be contained in just one periodic report.

3. The report is a product of a consultative process between the government organizations and non-governmental organizations, a process to which the National Commission on the Role of Filipino Women (NCRFW) adheres in the spirit of partnership and collaboration with non-governmental organizations. It consists of two main parts. The first part provides information on the country's current social, economic, political situation, including data on the present status of women. The second part provides specific information regarding the country's implementation of articles 2 to 16 of the Convention.

4. This report focuses on policy, institutional and programme/project developments resulting from the growing consciousness of women's/gender issues/concerns in the country. Facilitating factors, as well as those that hinder the efforts, are likewise presented.

5. National developments and action plans resulting from the Fourth World Conference on Women, held in Beijing in 1995, are also covered by this report.

II. DEVELOPMENTS

A. Information updates on the Philippines

6. Since the results of the latest census, which was conducted in September 1995, are not yet available, demographic information such as total population and population distribution are still the same as those contained in the Philippines' third period report.

1. Political developments

7. In the 1992 national elections, President Fidel V. Ramos succeeded former President Corazon C. Aquino. Aside from carrying on with the thrusts of the previous administration, President Ramos adopted the Social Reform Agenda as his Government's centrepiece programme to be implemented hand-in-hand with the Government's goal to transform the Philippines into a newly industrializing country by the year 2000 - for which the country's battle cry is "Philippines 2000". This was meant to focus equally on economic and social reforms.

8. Local government units, whose decentralization was authorized by the Local Government Code (1991) passed during the Aquino administration, still need to acquire the capability for effective self-governance.

2. Social developments

9. Since "people power" surfaced in 1986, its use as a tool for political assertion has intensified the movement towards popular participation. The Philippine experience at restoring democracy had been a steady movement towards the inclusion of excluded voices in the political mainstream. The mushrooming of people's organizations, the vibrant non-governmental organization community, and the high rate of voter turnout in the last two major elections all indicate a decisive passage from apathy to creative participation.

10. However, the country continues to face internal armed conflicts posed by the communist insurgency and the Muslim secessionist movements. It is, therefore, undergoing a national unification process, consistent with the recognition that political stability and national unity are major prerequisites for economic development (Philippine country report, 1986-1995).

11. People's organizations and non-governmental organizations have observed the incongruity of the country's political and social organization with indigenous arrangements of social reality, manifested by conflicts over tribal land rights, the secessionist movements, or the failure of the so-called economic growth to "trickle down" to the common people.

12. Migration, both internal and international, is breaking up families and exposing individuals to social prejudice and stress. However, the influx of dollars from the remittances of overseas contract workers gives a boost to the country's economy.

13. Urbanization and its impact on the disintegration of families and communities have become a major concern. Urban areas grow at the expense of rural areas. Consequently, slum communities grow rapidly, which results in social crowding and increased competition for scarce community resources.

14. Migration movements have also been noted in the uplands, increasing the forest population density and its attendant environmental problems. A significant proportion of upland migration is triggered by peace and order problems in the lowlands.

15. A disturbing effect of armed conflicts is the increased traffic in loose firearms and the drift of some insurgent groups towards crime and terrorism. Likewise, the perceived inability of the State to enforce its laws has encouraged kidnapping for ransom and other related crimes.

16. To check corruption and show its resolve in seriously tracking down criminal elements, the Government has embarked on the Moral Recovery Program and has put in place mechanisms for a tighter and more efficient government.

3. The economic environment

17. The Epifanio de los Santos Avenue (EDSA) "People Power" Revolution in 1986 ushered in the Aquino regime and along with it a promise for a new sense of order and priorities for the poor and made poverty alleviation one of its main thrusts/programmes.

18. Reforms instituted by President Ramos have ushered in an era of economic liberalization and the relative political stability has lured more foreign investors. Maintaining a favourable climate for foreign investors while keeping in check rising criminality and searching for a lasting peace to solve the country's insurgency problem have been major challenges to the Government.

19. In 1994, 35.7 per cent of Filipino families were estimated to live below the poverty threshold (placed at P 8,969.00 for a family of six). In 1991, the estimate was 39.2 per cent. The lack of distributive social justice or inequity in the access of productive resources, employment opportunities and basic services continue to be main reasons for poverty.

20. Between 1989 and 1993, the country suffered from negative economic growth but started to rebound with a 4.5 growth rate in 1994. According to the International Labour Organization (ILO), the Philippine economy has to grow by an average of 8 to 10 per cent annually to generate enough jobs for labour entrants.

21. The poverty situation in the country has been exacerbated by several disasters and calamities. The eruption of Mt. Pinatubo in 1991 continues to wreak havoc in central Luzon. The consequent floods caused by volcanic lava or "lahar" bury whole communities, resulting in massive homelessness and suffering. Women and children, in particular, are the worst victims of this catastrophe and until now families left homeless by the lahar flows are still waiting for a comprehensive programme that will successfully rehabilitate them.

22. The typhoons of record-breaking strength which the country experienced in 1995 devastated many provinces. The Government's calamity fund has been depleted and the work of facilitating the complete recovery of these provinces is far from over. These calamities caused a major setback to whatever economic gains the country was beginning to realize.

B. Information updates on the status of women

23. With the equality provision of the Constitution as well as a number of significant laws that have been passed for the benefit of women, the Philippine Government has committed itself to the advancement of women. Apart from the very clear legal mandate, there is relatively strong State machinery for women, the bureaucracy has started to recognize the significance of women's role in development and the women's movement has started to be felt as a strong force. In spite of these small successes, so much more remains to be done before de facto equality for women is actualized.

24. The 1992 Labor Force Survey shows that only 46.8 per cent of females are employed compared with 85.7 per cent of males. In short, less than half of the women have direct access to income from wages or formal sector employment. Women, however, compensate for this by working in the informal sector but the majority of their productive contribution to family subsistence is invisible in national income accounts. In addition to their home and family-related duties, women perform most of the volunteer work needed to mobilize a community regarding health, sanitation and other related activities.

25. From 1980 to 1993, the total fertility rate decreased from 5.0 to 4.08 children per woman. Despite the virtual standstill of the family planning programme because of the strong resistance from the Catholic Church, to which approximately 80 per cent of Filipinos belong, the contraceptive prevalence rate rose from 32 to 40 per cent in 1993 (Philippine country report for women, 1986-1995).

26. A critical phenomenon of the decade is the feminization of overseas employment. Around 52 per cent of the total overseas contract workers deployed in 1991 were women. This trend reflects employment distress adversely affecting the working women population more than the men. Women domestic helpers deployed in neighbouring South-East Asian countries comprised 57 per cent of such workers in the service sector and entertainers and nurses represented 34 per cent of the professional sector. Issues such as non-payment of wages, discrimination and sexual abuse abound. Inadequacy of protective mechanisms to deal with abusive employers in host countries is a major concern of the Government.

27. Beginning in late 1994, women's issues, such as rape, domestic violence and reproductive rights, became a focus of public debate. As a result, an increasing number of legislators filed bills on these issues. Dealing with the new forms of exploitation and discrimination, even as old ones are mitigated, remains a continuing challenge for the NCRFW, the prime government body for promoting the advancement of women in the country. In its work NCRFW has found valuable allies, not only among the many women's groups and non-governmental organizations that sprang up in the wake of the political turmoil of the mid-1980s. A strong women's movement in the country has been one of the highlights of the last decade.

C. Major policy and programme developments

28. The Philippine Plan for Gender-responsive Development, 1995-2025, is the Philippine Government's 30-year perspective framework for pursuing full equality and development for women and men. It is the successor plan to the Philippine Development Plan for Women, 1989-1992, and is the Government's blueprint for gender mainstreaming. The Plan was approved and adopted by virtue of Executive Order 273 which, inter alia, prescribes that:

(a) The Philippine Plan for Gender-responsive Development be the main vehicle for implementing in the Philippines the action commitments made during the Fourth World Conference on Women in Beijing;

(b) All government entities at the national, subnational and local levels implement the Plan; incorporate gender and development concerns in their agency performance commitment contracts indicating key result areas for such concerns as well as in their annual performance report to the President; and incorporate gender and development concerns in agency budget proposals and work and financial plans.

29. The Medium-term Philippine Development Plan, 1993-1998 enunciates priority attention being focused on gender and development in all sectors.

30. The Philippine Human Rights Plan, 1996-2000, which was prepared with the full participation of NCRFW, gives special focus on women's rights as human rights.

31. Among the landmark laws passed by the present Congress are the following:

(a) Republic Act 7877, the Anti-Sexual Harassment Act of 1995, which defines and provides for penalizing sexual harassment in the workplace and in an education or training setting;

(b) Republic Act 8042, the Magna Carta for overseas contract workers, seeks to institute policies for the welfare of migrant workers, their families, and overseas Filipinos;

(c) Republic Act 7882 provides credit assistance to women engaging in micro and cottage business enterprise.

32. Training on gender-responsive planning has been in full swing for the different sectors and agencies and selected regional offices since the start of the NCRFW-CIDA (Canadian International Development Agency) institutional strengthening project. Consequently, agencies have, in varying degrees, initiated implementation and programming for gender and development activities in which the most common problem raised was the lack of additional budget for the implementation of programmes, projects and activities on the subject. In response to this, the following policy issuances were made:

(a) Presidential directives relative to budgeting for gender and development;

(b) A joint memorandum circular on the integration of gender and development into the agency plan and budget jointly issued by the National Economic and Development Authority (NEDA), the Department of Budget and Management and NCRFW;

(c) Inclusion for the first time of a provision on gender-responsive projects in the 1995 General Appropriations Act;

(d) The 1996 Budget Call classified women in development/gender and development activities among the priority programmes of the Government, to ensure its consideration even from the very start of the budgeting process for 1996.

33. NCRFW also published The Women's Budget: Philippines, 1995-1996, a document which assesses the resources that the Philippine Government, through its various agencies, spends for the advancement of women.

34. In response to the Fourth World Conference on Women, the NCRFW Board of Commissioners adopted a set of priority policy imperatives (enumerated below) on the areas of concern of the Beijing Declaration and Platform for Action and presented it for the approval of the President. These policies will serve to focus agencies' efforts to attain a more observable impact in the immediate years.

(1) Women and poverty/women and economic inequality: (a) in view of the increasing burden of poverty on women, review, adopt and maintain macroeconomic policies, including structural adjustment programmes and development strategies that address the needs and efforts of women to overcome poverty within the framework of sustainable development; and (b) strengthen the access of women to training, economic resources (including land, credit, science and technology, vocational training, information, communication and markets), employment and promotion opportunities.

(2) Women and the media/women and education: promote a balanced and non-stereotyped portrayal of women in the media, arts and education.

(3) Women and health: (a) achieve for Filipino women the highest level of health throughout their life cycle; and (b) promote the reproductive health and reproductive rights of women.

(4) Women and violence: enact and implement integrated measures to eliminate violence against women and protect victims of such violence.

(5) Women in situations of armed conflict: (a) increase and strengthen the participation of women in conflict resolution and decision-making; and (b) protect women in armed conflicts.

(6) Women in decision-making: (a) ensure women's equal access to and full participation in power structures and decision-making, in both the public and private sectors; and (b) ensure women's full participation in decision-making within the family structures.

(7) National machinery for women's advancement: (a) strengthen the national machinery on women by providing new and additional resources to enable it to continue mainstreaming gender concerns in development; (b) institutionalize the priority being given to gender and development in the General Appropriations Act; (c) generate and disseminate gender-disaggregated data for planning and evaluation; and (d) integrate a gender perspective into all legislation, public policies, programmes and projects.

(8) Women and human rights: (a) promote and protect all the human rights of women through the full implementation of all United Nations conventions and all international human rights instruments relevant to women's rights; and (b) ensure the protection of the rights of vulnerable groups of women such as women belonging to minority groups, indigenous women, refugee women, migrant women, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict.

(9) Women and the environment: recognize the role of women and involve women's activities in the management of natural resources and in the safeguarding of the environment.

(10) The girl child: (a) implement fully the United Nations Convention on the Rights of the Child, especially the provision on the protection of the rights of the girl child; (b) increase public awareness of the values, needs and rights of the girl child and protect her rights; and (c) promote the rights of the girl child, balancing them with parental rights and responsibilities.

35. Non-governmental organizations likewise have a translation of the Beijing Platform for Action. The National Council of Women of the Philippines (NCWP) prepared a plan of action which would focus the efforts of its member organizations in implementing the Platform. Through NCWP, which is composed of 149 national women's organizations, 3,081 councils of women in the regions and approximately 10 million members reaching up to the grassroots level, the impact of the Platform could be felt nationwide. Other women's networks and coalitions have likewise pledged to actively pursue implementation of the Platform.

III. REMAINING ISSUES AND OBSTACLES

36. Even as steady and significant strides have been taken to effectively address the gender-based inequalities which the Convention seeks to eliminate, a number of issues and obstacles in the promotion of women's interest and welfare remain to be resolved.

Issues related to government as an institution for improving the situation of women

37. Inadequate tools and methodologies for gender mainstreaming. The need to develop, test, adapt and disseminate tools and methodologies for the effective

operationalization of gender mainstreaming remains a foremost challenge to government considering the state of the art of the gender and development approach all over the world where principles and methods are still subject to further testing. Development agents and key implementors in government have continuously recognized the need to develop practical tools and methodologies for gender and development which are appropriate to Philippine conditions and setting.

38. Lack of a critical mass of women in top-level and decision-making positions. Empowerment for the greater majority of women must start with the sharing by women of decision-making and the political power that men have traditionally held. While Filipino women took an unprecedented active role in the political events of the past decade which toppled a dictatorship and catapulted into power the country's first woman president, their participation in politics and public governance continues to be limited. They remain largely unable to influence policy and decision-making as legislators, chief executives and top administrators at both the national and local levels.

39. Need to enhance the level of awareness and skills on women in development/gender and development concerns among government officials and staff. While significant strides have been taken to increase the level of awareness on such issues/concerns and skills in gender-responsive planning and policy-making among people in the bureaucracy, the majority of the people in government remain unappreciative of the importance of integrating the gender mainstreaming approach into their work. There is a need, therefore, for adequate and sustained gender and development sensitivity and skills training, not only among those who plan and implement development policies, programmes and projects but also among decision makers as well, to ensure that policies, plans and programmes are developed and designed taking into account the gender dimensions.

40. Absence of a comprehensive indicator system with clear standards for gender-responsiveness per sector. One formidable challenge that remains to be overcome is the need to develop and institute a gender-responsive monitoring and indicator system that sets the standards or criteria for gender-responsiveness of policies, programmes and projects that are being implemented by various line departments and agencies in government. This requires the establishment of a database system that will support planning and advocacy relating to women in development/gender and development at the national and local levels, and provide relevant inputs to track the impact of interventions relating to women in development/gender and development on the status of both women and men. Moreover, there is still a need to fully incorporate the gender perspective in the regular evaluation guidelines of the government. Sector and area-specific guidelines need to be developed for adaptation to the particular needs of each agency or instrumentality of government.

41. Absence of political will and lack of commitment by implementing agencies. Apart from technical problems and lack of gender sensitivity, it has been noted that another constraint to the advancement of women is the weak commitment and low priority accorded by departments and agencies to women's gender concerns. Among the issues raised by women in development/gender and development focal points in the various line agencies are the following: (a) difficulty in

obtaining support for gender and development from other units within their respective agencies; (b) competing priorities between the agency head and the technical staff; (c) work overload (gender and development activities are performed as an "add on" function); and (d) lack of resources and support from the highest official.

Issues related to the public in general

42. Women in a poverty situation. The acute poverty situation remains the country's priority focus of attention affecting women more seriously as family treasurers and as health and economic providers. With the diminished purchasing power of the peso, more and more women are forced to find ways to augment family income.

43. Lack of concerted and massive public education on gender issues and concerns. Gender-responsiveness in the development process has been difficult to achieve, mainly because of the lack of public understanding of gender issues. A strong public advocacy programme is strongly needed in order to create a social environment supportive of women's gender concerns.

Issues related to social institutions

44. Stereotyping in schools. Among the social institutions, schools continue to play pivotal roles in reinforcing and perpetuating sex-role stereotyping and sexist concepts still found in the curricula, textbooks and instructional materials. Studies have consistently pointed out that such stereotypes not only restrict the role orientation of learners but also reinforce traditional views of female subordination. There is a need therefore to continuously review the curricula and educational and instructional materials across levels vis-à-vis their relevance to the changing roles of women and men. There is also a continuing need to critique, review and evaluate the Philippine educational system in terms of content, methods and learning processes and institutional mechanisms and structures vis-à-vis its relevance and responsiveness to the demands of contemporary times.

45. Negative influence of the media. As in the educational institutions, women continue to be portrayed in very limited, sexist and stereotyped roles in the news, radio, television programmes, advertisements and movies. There is an overabundance of movies that portray women as victims, sex objects, weaklings and hopeless romantics. Similarly, advertisements continue to confine women to homemaker roles or depict them as glamour-obsessed objects of desire. While there are plenty of broadcast programmes with women leads and characters, as well as publications aimed at a female readership, the local media in general remain untapped as a potent means for advancing women's development.

46. The church's traditional views about women remain unchanged. The Government, on the other hand, has been showing an optimistic level of responsiveness to the gender equality agenda, although its basic institutional make-up remains male-oriented.

Part Two

PROGRESS REPORT ON EACH ARTICLE OF THE CONVENTION

I. ARTICLES 2-4

General policy of non-discrimination as reflected in the Constitution etc.; adoption of positive measures; establishment of legal protection of women; refraining from engaging in any discriminatory activities; repeal or modification of laws, customs etc.; adoption of social, political, economic and cultural measures to ensure advancement of women; adoption of temporary special measures to accelerate de facto equality, including measures aimed at protecting maternity

1. The present report covers initiatives by government and non-governmental organizations in response to provisions of the first three articles of the Convention. These initiatives are categorized into three: policy developments, institutional developments, and programme and project developments. The policy developments include legislation (i.e. republic acts, bills, presidential directives and memoranda, circulars etc.) and other operational policies and strategies. For the institutional developments, mechanisms that facilitate gender equality are discussed (i.e. the strengthening of NCRFW, women in development/gender and development focal points, women's desks, crisis centres, the Department of Social Welfare and Development's Bureau of Women's Welfare etc.). The programme project developments include specific initiatives with regard to the following: preparation of gender and development guidelines, formation of project groups, training and advocacy, information and education campaign, statistics programme, etc.

Policy developments

Legislation and other policy issuances

2. The period 1992-1995 saw the passage of laws on women that reflected the Philippines' adherence to the Convention's policy of non-discrimination and adoption of positive measures for the advancement of women. The passage of Republic Act 7192 or the Women in Development and Nation-building Act, in 1992, ushered in more legislative initiatives, among which are the following:

(1) Republic Act 8042, known as the Migrant Workers and Overseas Filipinas Act of 1995. This law institutes the policies for overseas employment and establishes a higher standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress. This law was hailed as significant to women considering the increasing feminization of Philippine migration for overseas employment where women become highly vulnerable to exploitation and abuse.

(2) Republic Act 7882 provides credit assistance to women engaging in micro and cottage business enterprise. Recently, the Implementing Rules and Regulations for this law were amended, increasing the maximum loanable amount for women in microenterprises from P1.5 million to P5 million.

(3) Republic Act 7877 declares sexual harassment to be unlawful in employment, education or the training environment. This law recognizes that sexual harassment indeed exists. Women who are no longer afraid to speak out and a society which is already aware clamoured for this law.

(4) Republic Act 7688 gives representation to women in the Social Security Commission. Out of nine seats in the Board of Commissioners, two are reserved for women, one each representing labour and management.

(5) Republic Act 7655 increases the minimum wage of domestic househelpers, who are mostly women.

(6) Republic Act 7600 promotes and protects breast-feeding by requiring government and private health institutions with obstetrical services to adapt a policy of rooming-in.

(7) Republic Act 7322 increases maternity benefits of women workers in the private sector.

(8) Republic Act 7305, known as the Magna Carta for Public Health Workers, grants additional benefits (i.e. subsistence pay, laundry allowance, hazard pay etc.) for public health workers, the majority of whom are women.

(9) Republic Act 7160, or the Local Government Code, provides seats for women in all of the 1,600 local legislative assemblies nationwide. This is to increase the participation of women in political and public life. However, immediate implementation of the law is undergoing problems with the delay of the passage of its enabling law.

(10) Republic Act 6981 institutionalizes the Witness Protection, Security and Benefits Program at the Department of Justice. The programme benefits not only women witnesses but also women victims, because vital witnesses to crimes committed against them are afforded security and protection against harassment and threats from offenders or perpetrators of the crimes.

(11) Republic Act 6972 mandates the establishment of day-care centres in every barangay. However, the majority of the barangays have not implemented this for lack of funds and lack of support from local officials.

(12) Republic Act 6955 bans marriage matching for a fee and exportation of domestic workers to certain countries which cannot ensure the protection of their rights.

(13) Republic Act 6809 lowers the age of majority for women from 21 to 18 years, thus equalizing it with that for men.

3. The passage of these laws, however, does not necessarily result in full de facto equality for women. The problems in enforcement and implementation are many. Popularizing them so that they become tools of empowerment needs to be done. Information campaigns and dissemination mechanisms to promote and explain the workings of these laws need to be strengthened. Moreover, there is some resistance to the actual implementation of these laws because of deep-seated sexist attitudes and practices. Given this resistance, it has been difficult for bills on women to be enacted. A case in point is House Bill No. 4228 and Senate Bill No. 1413, or the Anti-rape Bill. The Bill seeks to:

(a) Reclassify rape as a crime against the person;

(b) Redefine it to include other forms of sexual assault on any person;

(c) Institutionalize measures for the recovery of the victims;

(d) Prosecute offenders.

The Bill faced tremendous opposition from the majority of the members of Congress, who are mostly men, despite its urgency. Other bills that have been filed are the following:

(1) House Bill No. 12453 (1994), establishing a national livelihood fund for women.

(2) House Bills Nos. 12430 (1994), 142 (1994) and 1228 (1993) and Senate Bill No. 1114 (1993), mandating a minimum percentage of women employed in the private and government workforce.

(3) House Bill No. 4367 (1994), amending Republic Act 3835, or Charter of the Women's Auxiliary Corps, and allowing women to do combat duties.

(4) Senate Bill No. 1726 (1994)/House Bill No. 12399, providing for a comprehensive programme against cruelty to wives.

(5) Senate Bill No. 1718 (1994), amending section 14-A of Republic Act 1161 (maternity leave benefits are given to the first four deliveries) by providing maternity benefits to all deliveries.

(6) Senate Bill No. 1675 (1994) and House Bills Nos. 12454 (1994), 143 (1994) and 10766 (1993), creating the Philippine National Commission on Women, defining its powers, functions and responsibilities and appropriating funds for its expanded operations.

(7) House bill No. 8393 (1993), increasing maternity leave benefits of women employees in the public and the private sector.

(8) House Bill No. 7500 (1993), banning advertisements in print and television where women pose in sexually suggestive postures.

(9) Senate Bill No. 1322 (1993), making sexual intercourse with a daughter or granddaughter below 17 years old statutory rape and imposing a mandatory death penalty.

(10) House Bill No. 5143 (1992), institutionalizing additional measures to prevent the commercial "sexploitation" of Filipino women.

(11) House Bill No. 4389 (1992), penalizing any advertising agency, television, radio station and publication which exploits women and glorifies sexual violence in its advertisements.

(12) House Bill No. 876 (1992) and Senate Bill No. 209 (1992), establishing a community women's support centre in every depressed barangay in the country.

(13) House Bill No. 699, (1992), prescribing certain conditions in the investigation and trial of cases involving the crime of rape.

(14) Senate Bill No. 541 (1992), exempting a woman from the battered wife syndrome from criminal liability if she should kill her husband while in the act of battery against her.

Presidential directives

4. Policy changes were also manifested through various executive orders, presidential directives, memorandum circulars, department orders, and other policy issuances. An exhaustive list is presented below with only very brief descriptions. Details and more substantive discussion and analysis of their impact on women are further presented in subsequent articles where they are directly relevant.

(1) Civil Service Commission (CSC), Series of 1995, enhancing women's career opportunities in government service by developing and implementing programmes that will institutionalize support mechanisms for women's career advancement.

(2) Department of Labor and Employment, Series of 1994, designating the then woman Secretary of the Department as additional NCRFW representative and advocate to the Cabinet, ensuring that the NCRFW concerns are articulated and given due consideration in the discussion of policies and other measures during Cabinet meetings. This designation was in addition to the then Secretary of the Department of Social Welfare and Development, another woman member of the Cabinet.

(3) Office of the Executive Secretary, Series of 1994, requiring the consideration of women nominees for at least one position to the Board of Commissioners of the Commission on Human Rights (CHR). At present, there is already a woman Commissioner in CHR.

(4) Department of Labor and Employment, Series of 1994, requiring NCRFW representation at the eighty-first session of ILO.

(5) Cabinet Cluster, Series of 1994, formalizing NCRFW representation in observer status in the Cabinet Cluster C (Human Resource Development Cluster) regular meetings. Cabinet Cluster C is one of the seven clusters of executive agencies that meet once a week to discuss priority issues concerning the sector and which feeds recommendations for the action of the Cabinet.

(6) Department of Budget and Management, Series of 1994, prescribing the guidelines for the inclusion of a budget for women/gender and development programmes, projects and activities in the 1996 budget call.

(7) Philippine Information Agency (PIA), Series of 1994, prescribing concrete action planning and implementation for the enhancement of the image of women in the media.

(8) Department of Environment and Natural Resources, Series of 1994, calling for the enhancement of women's participation in environmental management and ecology programmes and projects of government.

(9) Department of Environment and Natural Resources, Series of 1994, enjoining the Department to adopt gender-responsive policies and to implement programmes considering the emerging typologies of families, particularly single-parent and women-headed families.

(10) Livelihood Implementing Agencies, Series of 1993, enhancing access of small and medium-scale women entrepreneurs to livelihood programmes.

(11) Department of Labor and Employment, Series of 1993, protecting women overseas contract workers by prioritizing the assignment of women attached to countries where the majority of such workers are women.

(12) Philippine National Police and NCRFW, Series of 1993, establishing women's desks in police stations in priority areas. There are currently 300 trained policemen staffing women's desks all over the country.

Presidential memoranda, circulars and resolutions

5. While the above policy pronouncements can be taken to be indicative of the strong political will to address particular concerns of women in various sectors, much remains to be done in terms of concrete implementation and follow-through. A current challenge for NCRFW as the national machinery for women is to evolve a comprehensive monitoring scheme coupled with appropriate technical assistance to agencies so that implementation of these policies is institutionalized.

(a) Memorandum Order No. 282, Series of 1995, directs various government training institutions to incorporate in their respective curricula gender and development concerns and programmes.

(b) Presidential Directive dated 11 October 1995 directs the Department of Agrarian Reform/Social Reform Council to expand the Social Reform Agenda to cover implementation of the Beijing Platform for Action.

(c) CSC Memorandum Circular No. 19, Series of 1994, and Department of Labor and Employment Administrative Order No. 68, Series of 1992, define and set forth policies on sexual harassment and lay down mechanisms that would help deter sexual harassment in government.

(d) Department of Labor and Employment Administrative Order No. 100, Series of 1995, focuses on an enforcement programme on women workers.

(e) Resolution NFS-30 integrates gender concerns at the policy and operations levels of all housing development programmes and projects of shelter agencies.

Operational policies and strategies

Gender mainstreaming

6. On the other hand, the executive branch of Government has been accelerating women's integration into the mainstream development. Women and gender concerns had been incorporated in the current Medium-term Philippine Development Plan, 1993-1998, and the Philippine Human Rights Plan, 1996-2000. In addition, a more comprehensive perspective plan for gender and development has been completed and serves as the Government's blueprint for action in promoting women's advancement and in implementing the Government's commitment to the Fourth World Conference on Women.

Philippine Plan for Gender-responsive Development, 1995-2025

7. This Plan is the Government's 30-year perspective framework for pursuing full equality and development for women and men. It spells out gender-related goals and objectives and sets forth comprehensive policies, strategies and programmes that need to be adopted and implemented by all governmental and non-governmental organizations and the private sector to address identified issues.

8. The Plan was approved and adopted through Executive Order 273, issued on 8 September 1995. The Order directs all government agencies, departments, bureaux, offices and instrumentalities, including government-owned and -controlled corporations, at the national, subnational and local levels, to:

(a) Take appropriate steps to ensure the full implementation of the policies/strategies and programmes/projects outlined in the Plan;

(b) Institutionalize gender and development efforts in government by incorporating such concerns, as spelled out in the Plan, in their planning, programming and budgeting processes, but more specifically to:

(i) Include/incorporate gender and development concerns in the formulation, assessment and updating of their annual agency plans and

inputs to the medium and long-term development plans; and preparation of their inputs to sectoral performance assessment reports, public investment plans and other similar documents;

(ii) Incorporate and reflect gender and development concerns in their agency performance commitment contract, indicting key result areas, as well as in their annual performance report to the President and annual agency proposals and work and financial plans.

9. The Plan has the following vision for Philippine society: gender equity and equality, actualization of the potential of women and men, democratic participation, women's empowerment and self-determination, respect for human rights, peace and social justice, and sustainable development.

10. The extensive coverage of the Philippine Plan for Gender-responsive Development ensures that no gender concern has been overlooked. It has 24 chapters divided into six parts: the development framework, the human development sector, the economic and industrial sectors, infrastructure and technology support, special concerns, and the development administration sector.

11. The development framework situates the Plan in the overall development efforts of the country taking into account possible scenarios and trends at the macro level which could affect the Plan's vision of the future. The human development sector covers the following: education and human resources development; health, nutrition and family planning, urban development and housing, social welfare and community development; the media; arts and culture; justice and peace and order; and labour and employment. Sectors on economic and industrial development include the following: agriculture and fisheries, agrarian reform, the environment and natural resources, and industry, trade and tourism. The infrastructure and technology support sectors bring to the fore issues and concerns affecting women as agents and workers and beneficiaries and users of infrastructure and technology.

12. The Plan also covers special and emerging concerns of women such as migration, prostitution, violence against women, women and the family, indigenous cultural communities and the ancestral domain, peace, and politics and governance. The development administration sector discusses Plan implementation and outlines operational strategies, policies and measures to carry this out.

13. The gender mainstreaming strategy is being supported by efforts at institutionalizing in the budget process of government the concerns of gender and development.

Gender and development budgeting

14. An important accomplishment in this area of mobilizing resources for gender and development activities has been the inclusion, for the first time, in the 1995 General Appropriations Act (the law on the annual budget and expenditure programme of the Government) of a provision (section 27) that directed government agencies to set aside an amount from their 1995 appropriations for projects that address gender issues. To implement this general provision,

NCRFW, the Department of Budget and Management and NEDA issued a joint memorandum circular which outlined the guidelines for integrating gender and development in agency plans and budgets. Moreover, the National Budget Call for fiscal year 1996 (National Budget Memorandum No. 67), and again for 1997, identified women in development/gender and development as a priority concern of the administration towards which government agencies should direct their financial resources. A task force in the Department, headed by an Under-Secretary, has been constituted to study the question and, more permanently, make the budgeting for gender and development a regular feature of the budget process.

The Medium-term Philippine Development Plan 1993-1998

15. The Plan provides the basic framework within which government agencies design their work plans. The current plan strongly subscribes to gender and development principles, such as in its human development section, which prescribes the development and expansion of schemes to ensure the integration of gender-responsive concerns at all levels and stages of the development planning process:

(a) Establish appropriate mechanisms and conduct an extensive advocacy and consciousness-raising programme on gender concerns to facilitate and effect gender-responsive development planning and programme implementation;

(b) Reorient existing data generation, processing and management systems to consider gender concerns;

(c) Provide education and training opportunities, placement assistance, and incentives to women who desire to enter non-traditional fields of training;

(d) Ensure the responsiveness of information, education and communication, as well as infrastructure and basic services to the needs of women.

16. Specific strategies are also identified in the human development, agri-industrial development and development administration chapters with their corresponding gender-responsive activities in the agencies' priority subsector activities.

Philippine Human Rights Plan, 1996-2000

17. The Plan embodies a call to national action for appropriate legislative, administrative and programme measures to address human rights concerns of vulnerable and disadvantaged sectors of the country, including women.

18. In its action statement on women, the Plan reiterates the Government's commitment:

(a) To remove obstacles to the participation of women in development, either as contributor or beneficiary;

(b) To address the specific problems of women in different regions and localities of the country;

(c) To affirm and protect the dignity of women amid increasing gender violence.

19. The Plan's chapter on women has the following objectives:

(a) To recognize and promote women's rights as human rights and to have them manifested in national and legal instruments, and practice by people and society; and implement ameliorative measures to correct violations of these rights;

(b) To develop gender-responsive policies and programmes that will correct biases in social institutions which conceal and justify the unequal relations of women and men; enhance equality in dignity, status and opportunities; and improve the welfare and conditions of women in all sectors;

(c) To protect women's rights to legal equality, ownership of property, quality education, equal employment opportunities, political participation, adequate social, health and other support services and freedom from violence;

(d) To eliminate women's discrimination in all aspects of their lives: economic, social, cultural and political.

Gender and development planning and implementation processes and mechanisms

20. A pilot testing of gender and development processes and mechanisms for planning and implementation was undertaken. Pilot testing was done in three selected regions and one line agency. The accomplishments were: (a) review of regional development plans, key policies, programmes to determine the extent by which gender concerns are integrated; (b) assessment of the impact of gender and development initiatives since 1989; (c) the setting up of regional focal points for gender and development; (d) creation of a gender and development trainers pool in the Department of Agriculture and in region VIII; (e) formulation of guidelines towards integrating gender and development into regional and subregional development processes; (f) formulation of gender-responsive training modules adaptable to the regions; and (g) the holding of gender and development briefing and training for top officials, project implementors, and prospective gender and development advocates in the three regions and the Department of Agriculture.

21. While the above are positive developments, enforcement, implementation and monitoring of implementation need to be strengthened. The problems are many. The majority of the implementors are not aware that gender concerns and issues exist. They have difficulty in understanding and accepting the necessary changes with regard to women's subordinate situation. A continuing concern of NCRFW and the non-governmental organizations working along these areas is the need for continuing advocacy to translate these laws and policies into actual programmes and projects that will truly make a difference in women's lives.

Institutional developments

Strengthening of NCRFW

22. Because concerns of women are growing, Executive Order 268 (amending Order 208, dated 10 October 1994) was issued on 1 August 1995 to redefine the composition, powers and functions of NCRFW. Essentially, this Order strengthens the mandate of NCRFW to ensure gender mainstreaming in government, redefines the composition of its Board of Commissioners to include selected Cabinet Secretaries as ex officio members, and defines a limited organizational expansion. Moreover, a Philippine Commission on Women (PCW) bill has been filed in the current session of Congress to further strengthen the Commission to enable it to access more resources for its operations.

23. As the chief adviser to the President with respect to women's concerns, NCRFW meets with him on a quarterly basis to update him on issues related to priority women's concerns and on the status of the overall programme for gender and development in general.

The women in development/gender and development focal points

24. To facilitate mainstreaming of women's and gender concerns in the bureaucracy, the establishment of women in development/gender and development focal points has been accelerated. There was also pilot-testing of model inter-agency focal points at the regional and local government levels in selected geographical areas. Sectoral inter-agency mechanisms to coordinate initiatives directed towards common sectoral goals, i.e. Women Advancing Government Action for Shelter (WAGAS), Women in Science and Technology Development Foundation (WSTDF) and the Department of Agrarian Reform Ladies Association (DARLA) contributed to the advancement of women in development/gender and development initiatives in their respective agencies.

Quick response mechanisms for specific issues

25. To respond to specific issues, such as violence against women, various mechanisms have been introduced by the Government. As a result of the furore over the execution of Flor Contemplacion, a Filipina overseas contract worker in Singapore accused of double murder, Executive Order 231 was issued on 20 March 1995 creating the Gancayco Commission, a presidential fact-finding and policy advisory body to investigate the matter. The Commission was specifically tasked to (1) determine particular and general facts and circumstances involving the policies and actions of the Philippine Government in relation to the protection of overseas Filipinos, particularly cases in which the worker faces charges or has been convicted; and (2) make recommendations for improving the workers' protection consonant with international conventions and standards. The Executive Director of NCRFW was part of the crucial Fact-Finding Commission that advised the President and the Cabinet on the Flor Contemplacion case. Another body, the Assistance to Nationals Committee, was convened composed of multi-agency representation (which includes NCRFW) to ensure a more efficient assistance mechanism for overseas contract workers in problematic situations.

26. Cases of rape and other incidences of violence against women had been increasing within the last four years but only a number of offenders have been apprehended and convicted. Women victims, in most cases, refuse to report the crimes committed against them for fear of reprisal from the offenders, humiliation accompanying the stigma of rape, insensitive police officers and investigators handling their cases and the gruelling and lengthy period of court trials.

27. In response to this problem, several institutional responses have been put in place:

(a) A presidential directive (8 March 1993) which established women's desks in 198 police stations;

(b) Government and non-governmental organizations have set up centres for women victims of violence:

(i) The Department of Social Welfare and Development "Substitute home care for women in especially difficult circumstances";

(ii) The Congressional Spouses Foundation's (CSF) halfway house and sanctuary for women victims of violent circumstances was recently inaugurated and is now fully operational;

(iii) The Department of Health and NCRFW, in cooperation with a non-governmental organization, the Women's Crisis Center (WCC), initiated implementation of Project HAVEN (Hospital Assistance for Women Victims/Survivors of Violent Environment), a pilot hospital-based crisis centre located at the East Avenue Medical Center providing services to women victims of violence;

(iv) National Bureau of Investigation crisis centre for women and children victims of violence;

(v) Third World Movement Against Exploitation of Women, a non-governmental organization, has set up halfway houses for prostituted women.

28. These efforts notwithstanding, violence against women remains a serious problem nationwide. Strong public education is necessary.

Creation of the Bureau of Women's Welfare in the Department of Social Welfare and Development

29. Executive Order 123, Section 13, provides for the creation of the Bureau of Women's Welfare (BWW) in the Department with specific attention to the prevention and eradication of the exploitation of women in any form, such as, but not limited to, prostitution and illegal recruitment, as well as the promotion of skills for employment and self-actualization.

Programme/project developments

30. In support of the policies that give more chances for women's advancement and their protection, the Government and non-governmental organizations have undertaken various programmes and projects.

Guidelines for Developing and Implementing Gender-responsive Programmes and Projects

31. A technical working group composed of NEDA and NCRFW staff formulated generic Guidelines for Developing and Implementing Gender-responsive Programmes and Projects which aim to integrate the gender perspective into all aspects of the project development cycle, from identification to post-project evaluation. The guidelines were supposed to be a vehicle to ensure the implementation of gender-responsive development programmes and projects in government.

32. At the regional level, NEDA Region X has developed a region-specific set of guidelines for integrating gender concerns into the development process.

NCRFW-GTZ project groups

33. A series of consultations between NCRFW and women's groups in 1994 identified the most pressing issues of women. With funding assistance from the German Technical Cooperation Agency (GTZ) NCRFW embarked on a project to create project groups for each of these concerns: ecology, family, the media, peace, prostitution, and violence against women. They were tasked to come up with recommendations towards the institutionalization of policy and programme interventions in government agencies. This project resulted in presidential directives directed to concerned line agencies. However, no adequate follow-through was done so that only one of the project groups had seen through the concrete translation of their recommendations into action. This was the Violence Against Women (VAW) group, which became instrumental in evolving a tie-up between the WCC (a non-governmental organization), the Department of Health and NCRFW for the pilot operation of a hospital-based crisis centre in one of the government hospitals.

Training and advocacy

34. One of the nationwide programmes undertaken was consciousness-raising on gender issues and dynamics and gender-responsive development for the bureaucracy (department secretaries, under-secretaries, planners, trainers, and other decision makers, government officials assigned abroad, etc.); and training focused on violence against women for law enforcement officers, and on sexual harassment for male managers/directors in the bureaucracy.

Information campaign

35. NCRFW, with funding assistance from CIDA, developed and disseminated primers and other information materials for mass dissemination and for training use. Primers were on the following subjects: women and population, sexual harassment, domestic violence, politics, environment and migration. Posters on

sexual harassment were developed and disseminated by the Department of Labour and Employment and the Civil Service Commission (CSC).

36. Women's studies are included in the curriculum of 40 colleges and universities in undergraduate and graduate levels. The Philippine Women Studies Association, a non-governmental organization, was established to facilitate exchange of information among teachers and advocates of women's studies.

Statistics programme

37. Spearheaded by the NCRFW Clearinghouse and Information Center on Women and Development, efforts were made to influence the Philippine Statistical Development Plan which sets down the key statistical requirements to support, monitor and evaluate the implementation of the country's medium-term plan. Some of these are activities that influence the various regional statistical coordinating committees to produce gender-responsive statistics and indicators.

38. During the period under review, the statistics programme of NCRFW, with funding assistance from the Asian Development Bank (ADB), completed the following:

(a) Framework/indicators development which produced a Gender-responsive Indicator System to measure the status of women and men and the extent of gender inequalities prevailing at a given period of time;

(b) Compilation/processing of data from censuses and surveys which accomplished (1) identification of data gaps by area of concern which can serve as a basis in engendering the Philippine statistical system; and (2) availability of benchmark information on the status of women in various areas of concern which can serve as a basis for planning and policy-making;

(c) Production of statistical publications of women/men which produced the following outputs:

(i) Availability of organized benchmark information for monitoring the status of women over time;

(ii) Availability of comprehensive reference documents for understanding and increasing the level of awareness on gender issues and concerns and as bases in coming out with bills, policies and other measures to address existing gender inequalities;

(d) Development of a computerized database system which will serve as a repository of data on gender concerns;

(e) Institutionalization of gender concerns in the regular statistical activities of major data-producing agencies;

(f) Capability-building of NCRFW staff and partner agencies.

39. NCRFW has likewise developed a manual, the National Gender-disaggregated Indicator System. It also published the following:

(a) Filipino Women: Issues and Trends - a compendium of statistics on women in population, families and households, employment, education, health, and public life;

(b) Trends in Women's Employment in the Regions: 1991-1994 - a publication that compares women's and men's selected employment data across the 15 regions and in two reference periods;

(c) Statistical Factsheets consist of six factsheets (population, families and households, employment, public life, education, and health) and are a handy reference for users;

(d) Filipino Women Migrants: A Statistical Factbook - provides basic information on Filipino women overseas contract workers and women emigrants, which includes mail-order brides.

Other government programmes

40. The departments of social welfare and development, health, agrarian reform, education, environment and natural resources, among others, have specific programmes and services for women that were implemented during this reporting period. However, these are reported in detail under subsequent articles.

Programmes/projects of non-governmental organizations

41. The non-governmental organizations have always been active partners of government in formulating and implementing programmes and projects for women. NCWP created, within its structure, a regional mechanism by which the Philippine Development Plan for Women could be implemented down to the grass-roots. It produced a Handy Guide Series used for trainers training of their members who then formed women in development action teams to implement the Development Plan.

42. Philippine non-governmental organizations have been very active in terms of direct services, such as for women victims of violent situations, prostituted women etc., legal services, information drives and campaigns, legislative advocacy, organizing and training grass-roots women, among others.

II. ARTICLE 5

Adoption of measures to modify socio-cultural patterns of conduct towards eliminating stereotyped roles for women and men; and ensuring sharing of responsibility in the upbringing and development of children

43. Women's oppression is created and reinforced by a host of institutions. The socialization process in the family, the educational system with its textbooks, teachers' attitudes and policies, the portrayal of women in the media, the blindness of government programmes and the legal system to women's needs, the teachings of various religions on women, all contribute to the further discrimination against them.

44. Government and non-governmental organizations, jointly or separately, are addressing the problem of gender-role stereotyping.

45. The Philippine Government, through NCRFW, adopted the gender mainstreaming approach in order to eliminate gender discrimination and to ensure that women and gender concerns are fully integrated by the rest of Government in their planning and programming. Two vehicles were used in this approach: a separate plan for women and the main economic plan of the country.

46. The first Philippine Development Plan for Women, 1989-1992, has been updated into a long-term perspective plan, the Philippine Plan for Gender-responsive Development, 1995-2025. The second Plan recognizes gender-stereotyping as one of the structural and historical determinants of the status of Filipino women today. Socio-cultural issues and the corresponding policies and strategies and programme project areas have been identified in chapters of the Plan such as education and human resources development; women and family; the media; and indigenous cultural communities and the ancestral domain.

47. Since the adoption of the Philippine Plan, the economic plan, or the Medium-term Philippine Development Plan, has always carried general and sectoral policies on women/gender and development. This is as a result of the institutional structures that have been put in place such as the representation of NCRFW and women non-governmental organization representatives and expert advocates from the academe in the different technical subcommittees for development planning.

48. To give recognition to the role of women regardless of their social, economic and political standing in society, Republic Act 6949 was enacted declaring 8 March as National Women's Day. Every 25 November to 10 December, on the other hand, women's groups join a worldwide campaign against gender violence and educate the public that women's rights are human rights.

49. The country's third periodic report mentioned the CIDA-funded consciousness-raising programme of NCRFW targeting the different layers of the bureaucracy from department secretaries and under-secretaries to the planners, trainers and other decision makers. Between 1989 and 1992, 76 seminars have been conducted, which include such topics as gender issues, gender dynamics and gender-responsive development. A joint project between CIDA-NCRFW and the Women's Feature Service produced primers on population, sexual harassment, domestic violence, politics, environment and overseas workers. Recently, an executive order was signed by the President requiring all government training institutes to include gender orientation in their programmes.

50. Because of the need to create a new perspective by which students can begin to question and analyse gender relations in society and understand the factors that led to the current status of women, women's studies were introduced in 40 colleges and universities; among these were state colleges and universities at both graduate and undergraduate levels. The Philippine Women's Studies Association undertakes teacher training in women's studies as well as develops gender-sensitive modules in the natural and social sciences. The Development Institute for Women in Asia-Pacific (DIWA) also conducts awareness-raising programmes to address the issues of sexism and women's discrimination in

education. These non-governmental organizations work closely with the Department of Education, Culture and Sports.

51. There have been curricular innovations in order to counter the stereotyping of sex roles. Among these is the adoption of practical arts subjects such a work education and home economics as common learning areas for girls and boys. The gender and development focal point of the above Department has identified as priority intervention the integration of gender-fair core values and concepts in the curricula of the three levels of education as well as in the in-service training programmes for teachers and school administrators.

52. In view of the issues which involve Filipino overseas contract workers, studies have been made to find out how Government officials assigned abroad, especially in countries where female workers abound, can become more gender-sensitive and responsive. Already a gender reorientation is conducted regularly by NCRFW at the Foreign Service Institute; diplomats, consular officials, and other personnel posted abroad have to undergo this training before their foreign assignments.

53. Various non-governmental organizations, such as the Women's Legal Bureau, Pilipina Legal Resource Center, Kalayaan, Sibol (a network of women's organizations advocating pro-women legislation) conduct legal literacy programmes to popularize human rights. Makabayang Kababaihan ng Masa (MAKAMASA) conducts a feminist literacy programme among urban poor women to celebrate womanhood, foster sisterhood and promote feminist values. KABAPA, a peasant women's organization, conducts awareness and information campaigns on the Convention.

54. Media groups such as the Center for Media Freedom and Responsibility, and the Center for Investigative Journalism, and individual women from the media, are undertaking workshops to sensitize media practitioners.

55. In spite of these efforts, more effective networking is needed to carry out sustained information campaigns among the rural poor who are the primary consumers of radio broadcasts in which women continue to be stereotyped in dramas and advertisements. Even greater effort is needed to curb the current trend in Philippine movies where true-to-life massacres of mostly women and children are shown; in television programmes where women are often depicted as dumb, weak, hopeless romantics etc.; and in tabloids which sensationalize rape and other violence against women.

III. ARTICLE 6

Suppression of traffic in women and exploitation of prostitution

56. After some 15 years of fighting against the trafficking and exploitation of women, prostitution and sexual exploitation in different forms are still very much around. Women non-governmental organizations have pointed out that "development" prostitution has flourished in port areas, industrial estates, regional capitals and tourist resorts that provide transients with women for sex. For the reporting period, some progress has been made in terms of policies

and programmes. However, much more needs to be done given the magnitude of the problem.

Policy developments

57. The Department of Tourism has issued statements to the effect that the promotion of tourism should not be undertaken at the expense of women and children, indigenous cultures, and the environment. A shift in Philippine tourism policy from sex tourism (before 1986) to the "Fiesta Islands" campaign in the 1990s focuses on Philippine culture and traditions, domestic tourism and people-to-people encounters.

58. The Department has also made specific pronouncements that promotional materials of private entities in the industry should be checked to determine whether these have a negative impact on the image of women. It has also recommended stronger inter-agency coordination to help mobilize other pivotal groups in the drive against prostitution. It has called for the improvement of networking and information systems with other law enforcement agencies on the strict implementation of the ban against organized "sex tours". It has proposed to allied business establishments not registered with the Department that they report gender-specific data on tourism programme participant-beneficiaries and domestic tourists.

59. The Philippine Plan for Gender-responsive Development, 1995-2025, the Government's blueprint for integrating women's concerns into the development process, has devoted one chapter to prostitution and another to violence against women. The chapter on industry, trade and tourism likewise incorporates concerns regarding prostitution.

60. The following bills have been filed in Congress to address traffic in women and other related problems:

(a) House Bill No. 2037, which considers criminal the exploitation of women through pornography;

(b) House Bill No. 3461 (Traffic in Women Bill), creates a Human Rights Code that includes articles against traffic in women and protection against wife-beating;

(c) House Bill No. 4228, or the Anti-rape Bill, which seeks to check the current sensationalism in media coverage of rape cases. Under the Bill, all investigations, procedures and trial of rape cases should be held behind closed doors, unless the complainant opts for an open trial. The Bill also provides for a P100,000.00 fine for undue publicity of a rape case;

(d) House Bill No. 5142 (Anti-pornography Bill) amends article 201 of the Revised Penal Code to delineate pornography as a particular crime and provides a higher penalty therefor;

(e) House Bill No. 6804 (Anti-prostitution) imposes various penalties for those found to be guilty of promoting prostitution;

(f) Senate Bill No. 169, which explicitly prohibits advertising materials that "degrade our (Filipino) people, particularly women";

(g) Senate Bill No. 585 (Anti-White Slave Trade) amends article 341 of the Revised Penal Code to provide deterrents to the promotion of prostitution.

Programme/project developments

61. Most of the programmes directed at prostituted persons in the last few years have been in the areas of "rehabilitation" or renewal; health, principally in the control of AIDS and sexually transmitted diseases; and education and advocacy. Although the efforts of government organizations and non-governmental organizations are commendable and represent real gains, they are able to serve only a small minority of prostituted persons.

62. As mentioned in the third periodic report, a Project Group on Prostitution was formed as part of the NCRFW-GTZ project which culminated in 1993. In connection with this, a dialogue between the Project Group and the technical staff of the Lower and Upper Houses was held to level off a common understanding of the concepts of prostitution and decriminalization and to look into the implications of this new understanding. There was a consensus in viewing prostitution as a violation of human rights since it destroys one's personhood; as a system rooted in the patriarchal culture and promoted by a highly organized sex industry; as victimization of persons whose sexual services are sold to bring profits to the flesh trade.

63. The Project Group, confronted by the magnitude and complexity of the problem in a Philippine setting, realized the need to have a comprehensive plan to tackle the three "B's" of prostitution: the bought, the buyer and the business. For the bought, mainly women and children, the proposal was to decriminalize the prostituted and to provide restitution through an alternative lifestyle and livelihood programme. This implies a need for a bill to decriminalize prostitution. It was recommended that this new legislation should contain a redefinition of prostitution that shifts the penalty to the perpetrators. With the abolition of prostitution as an end goal of decriminalization, the group concluded that there was a need:

(a) To repeal article 202 of the Revised Penal Code which penalizes vagrants and prostitutes;

(b) Strengthen article 341 of the Revised Penal Code (White Slave Trade) with an insertion of a new definition of prostitution;

(c) Enact social laws to provide for a renewal programme for an alternative lifestyle and livelihood programme for those who opt out of prostitution.

64. The Women Governmental and Non-governmental Organization Network on Violence Against Women and Prostitution, which was established in 1993, holds forums and workshops mainly on policy issues. Together with the Project Group on Prostitution, the Network held a policy workshop on prostitution, a public hearing on the sexual exploitation of women as a violation of human rights, and

a post-Vienna, pre-Beijing forum focusing on prostitution and violence against women. The Network also seeks to mobilize government, non-government and people's organizations throughout the Philippines up to the barangay level to address these issues collectively.

Drop-in centres

65. The Third World Movement Against the Exploitation of Women is a pioneer in giving prostituted women, mail-order and holiday brides, migrant workers and other exploited women a new lease on life and empowering them. It runs a chain of drop-in centres and homes in the Ermita/Malate tourist belt of Manila, in three other urban centres serving ship prostitutes, and in Quezon City (serving street hawkers, massage attendants). These centres respond to these women's economic, educational, physical, spiritual, psychosocial and cultural needs.

66. The Buklod drop-in centre was founded in Olongapo City by the National Council of Churches in the Philippines, the Mennonite Central Committee and the General Assembly Binding Women for Reform, Integrity, Equality, Leadership and Action (GABRIELA). For a time it ran night care for the children of bar women. As part of the Task Force on Amerasian Children, it works for the benefits due the Amerasians left behind by American servicemen. It has also shifted emphasis to socio-economic work with the acquisition of high-speed sewing machines from Japanese donors.

67. The Dayang Women's Center, also a drop-in centre for street prostitutes established in 1990 by the National Council of Churches and the United Church of Christ in the Philippines, works towards the empowerment of prostituted women through education, organization, advocacy, networking, research and documentation.

68. The Good Shepherd Sisters at Caritas Manila run the Morning Glory shelter for sexually exploited and abused children, including victims of rape, incest and paedophilia. Temporary shelter with therapy is offered to victims of domestic violence and sexual assault.

69. In 1991, the Department of Social Welfare and Development developed Substitute Home Care for Women in Especially Difficult Circumstances, an institution-based programme which gives women temporary residential care to protect female victims of illegal recruitment, prostitution, battering and sexual abuse from further harm and to extend them support services. From 1991 to 1994, 2,852 cases of women in especially difficult circumstances have been served at the four existing substitute home care for women centres. Some 7,802 women, who need not be institutionalized, were managed by senior social workers of the Department right in their own home or community.

70. The Commission on Filipinos Overseas (CFO) provides counselling to prospective brides of foreigners, including those who have been propositioned via mail order and other marriage matching arrangements. Cases of abuse of Filipinas in Australia and in various parts of Europe have been on the rise.

Health services

71. Complementing the National AIDS Control Program of the Department of Health are non-governmental organization efforts such as those of the Remedios AIDS Information Center and Kabalikat. The Remedios Center is a community-based information outlet which runs a reading room and a telephone hotline counselling service. Kabalikat has a drop-in centre where clients can take seminars on AIDS, sexually transmitted diseases and reproductive health, and avail themselves of counselling services as well as medical referrals.

72. The Bethany Home of the Third World Movement Against the Exploitation of Women, on the other hand, provides housing and after-care for AIDS sufferers. Among its sources of income is a candle-making industry.

73. Talikala (Davao City), initiated by the Maryknoll Sisters, focuses on AIDS prevention through skits shown in bars and clubs. Half of the establishments have been reached and in each place a core group of five has been organized.

74. The Department of Social Welfare and Development also initiated in 1991 a pilot child protection centre in Manila called Child Health Intervention and Medical Evaluation (CHIME), which serves sexually abused and exploited children and offers therapeutic and support services. Of the 737 reported cases in 1992, 139 were victims of child prostitution.

Advocacy

75. In 1993-1994, great strides were taken in advocacy work, particularly in clarifying perspectives and measures towards the decriminalization of prostitutes and the strengthening of legislation towards punishing those who benefit and profit from their prostitution (employers, pimps, procurers, recruiters and clients). NCRFW, with the various government agencies, maintained close coordination with women non-governmental organizations working directly with women survivors.

76. Feminist groups which have in the last few years been involved in such work are Kalayaan, and the Women's Education, Development, Productivity and Research Organization (WEDPRO). WEDPRO and Kalayaan have come out with a survey report on the women entertainers of Angeles and Olongapo.

77. The Women's Resource and Research Center (WRRC), together with GABRIELA and Buklod, also came up with a feminist participatory research and WEDPRO with feasibility studies and transition programmes to create employment options for prostituted women in the base areas.

78. Networking and advocacy work against all forms of sexual exploitation, such as prostitution, pornography and trafficking are the main activities of the Coalition Against Trafficking in Women (Asia). It produces documentation on trafficking cases internationally.

79. Educational programmes have targeted not only prostituted persons but also migrant workers, law enforcers and the larger public. GABRIELA educates

prostituted women on their human and legal rights, health care, relevant political issues and feminist values.

80. On the issue of comfort women, the Government formed an Inter-agency Task Force on Comfort Women to coordinate the efforts of government agencies. Health cards have been issued by the Department of Health. The Department of Justice helps document the cases of those who came forward as comfort women. The Task Force Lila (an association of comfort women), the Asian Women's Human Rights Council and GABRIELA have taken the lead in the campaign for the indemnification of these women and has documented over 200 cases.

81. Stop Trafficking of Pilipinas (STOP), an alliance formed in 1983, meanwhile concentrates on a programme called "stopping at the source" and engages in prevention activities. It has campaigned against pornography and lobbied for legal reforms to put an end to commercial sex slavery.

82. Among the accomplishments of the Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA), a non-governmental organization, is prevention education on child sexual abuse, which includes topics like personal safety and decision-making, touching, assertiveness, support systems, physical abuse and neglect, and gender stereotyping. It also conducted an awareness campaign for the general public about child sexual abuse.

83. The work of CPTCSA was facilitated by the following: willingness of schools and other organizations to include in their curriculum an education programme on the prevention of child sexual abuse; active participation and cooperation of parents in the programme; training of teachers and others about child sexual abuse and the use of a prevention curriculum; and legislative and corporate support for the awareness campaign. Conversely, hindering factors have been the prevailing attitudes, stereotypes and beliefs that place women and children in a disadvantaged position; the apathy among people who believe "It's not happening"; societal norms that tolerate the abuse of children (some parents abuse their own children or one parent tolerates the abuse); inadequate or ineffective implementation of laws for cases of incest and rape (for children); and inadequate facilities and trained staff to handle child sexual abuse cases.

84. So far, CPTCSA accomplishments include the following: the preparation and revision of a draft child sexual abuse prevention curriculum for elementary and high school (Grades 3 and 5 materials are being finalized); the ongoing pilot of these materials in a school and in urban poor communities; written disclosures from children; and the recent formation of a coalition to plan for a Sexual Assault Awareness Week scheduled for February 1996.

Other efforts

85. Law enforcement officers, beginning with women in the police force, are undergoing training to ensure better handling of women clients, particularly victims of rape, wife-battering and prostitution.

86. The Department of Public Welfare and Development has made efforts to prevent sexual exploitation of migrant women through networking activities with

non-governmental organizations and the deployment of social workers at the Ninoy Aquino International Airport to monitor minors travelling abroad.

87. In 1992, the Mayor of Manila forcibly closed down 130 bars, cocktail lounges and entertainment centres known to be fronts for prostitution in the tourist belt of Ermita, Manila.

88. Kalayaan, a feminist group in Angeles City, has organized, trained and provided credit to a small pilot cooperative of bar women around the former base areas who generated income from operating food stalls.

89. The Kapatiran-Kaunlaran Foundation, Inc., a Methodist project, gives skills training and capital for small entrepreneurs, among whom are women who want to leave prostitution. The Nazareth Growth Home of the Third World Movement Against the Exploitation of Women also prepares those who leave prostitution for an alternative livelihood.

90. The Daughters of Charity offers land and housing to women who have left the trade. Through them, atrocities of child prostitution have been exposed.

91. Migrant groups such as KANLUNGAN, KAIBIGAN and MIGRANTE also provide legal services and counselling to trafficked women or migrant women who are victims of abuse.

92. The paucity in the number of victims served by all these services and efforts is more than made up for by the "demonstration effect" of successful intervention schemes which empower even just a few and give them a new lease on life.

93. However, while concerned groups are many and policy issuances are in place, the problems remain major. The chapter on prostitution in the Philippine Plan for Gender-responsive Development identifies among others the following strategies for a holistic response to the problem: creating wider employment opportunities for women, particularly in rural and urban poor areas; conducting a critical review of existing tourism programmes; review of labour legislation for possible loopholes that make young women workers insecure and vulnerable to prostitution; initiation of bilateral relationships to address the problems of migrants and the trafficking of third world women and to gain criminal jurisdiction over foreign sex offenders; and campaign against sexism in the media, sensationalism in the treatment of sexuality and pornography in any form.

IV. ARTICLE 7

Equal rights with men in political and public life

Situation

Women voters

94. Voting is the most common mechanism for participation in the political process. Women continue to be a strong voting population. In the 1992 elections, women voter turn-out was 79.97 per cent while that of men was 74.96 per cent. The figures show women's determination to exercise their voting rights. But this has not been translated into a women's vote (defined as a united vote for electoral candidates, female or male, whom women believe will take up the cause of women).

Women elective officials

95. There has been no significant increase in the number of women running for elective office, much less those who actually win. The 24-hour member Senate never had more than four women members. In the House of Representatives, only 20 out of the proclaimed 223 seats in the 1995 elections are occupied by women.

96. This dismal performance may be attributed, among others, to the persisting notion that electoral politics is dirty and basically for men only. Philippine elections are characterized by violence and terrorism where candidates use "gold, guns and goons" to win. Politicians are also deemed to be prone to graft and corruption.

97. The women who run for Congressional positions are second-generation politicians. They are either wives, sisters, daughters or immediate relatives of male politicians. Politics is a family tradition, and they run on the strength of the family name and influence. As with male politicians, female politicians belong to the socio-economic elite. This makes it very difficult for cause-oriented women to fight and run for office.

Women as government executives

98. Among appointive officials, there is only one woman member out of a total of 22. She heads the Department of Social Welfare, which traditionally has always been headed by a woman. The Department of Labour and Employment had its first woman Secretary but she has already been replaced by a man. In the four Constitutional Commissions, only one Civil Service Commission is chaired by a woman.

99. Out of the total 969,046 career positions, 60.1 per cent are women. They dominate the second level at 70.7 (436,948), followed by the first level at 41.9 per cent (140,413) and the third level at 31.9 per cent (5,086).

100. Considering that there are more women at the second level, which supposedly should feed into the third or top level, the data indicate some problems for

women in advancing to the higher level; thus, they continue to have limited opportunity to participate actively in policy-making.

In the bureaucracy

101. Women outnumber men in the bureaucracy, as evidenced in the following 1994 data:

Major subdivision	Total	Female	Male	Percentage Female
Total	1 122 359	639 632	482 727	57
National government agencies	699 849	453 735	246 114	65
Government-owned and controlled corporations	112 858	41 064	71 794	36
Local government units	309 652	144 833	164 819	47

102. Women comprise 57 per cent of the total number of government personnel and are mostly concentrated in the national government agencies, at 65 per cent. This can be attributed to the large number of women teachers (287,851), 26 per cent of the bureaucracy. The teaching profession is still predominantly a women's milieu. In the non-teaching professions, women are outnumbered by men at a ratio of 55:45.

In the judiciary

103. In the judiciary, 1995 figures reveal that there are only 15 (21 per cent) women out of 73 justices and 229 (14 per cent) women out of 1,586 judges.

104. Male dominance in top-level positions continues to be seen in all three branches of government. This is in addition to the occupational discrimination and segregation which assigns the less rewarding jobs to women. Deeply rooted perceptions on the roles of women influence the type and nature of education and training they receive as well as the type of work they seek or are directed towards.

105. Another factor that systematically deprives women of the opportunity to occupy high-level decision-making positions is their multiple burden. Home and family responsibilities take up women's time and drain their energy, preventing them from being involved in political affairs. In the bureaucracy, many women forego the opportunity to be trained for higher positions, because it will take away more time from their family responsibilities.

Policy developments

106. Sectoral representation for women was provided for by the 1987 Constitution. In 1995, two sectoral representatives for women were appointed in the Lower House.

107. Among the laws passed, for the period in review, that give women equal rights with men in public and political life are the following:

(a) Republic Act 6725 strengthens the prohibition on discrimination against women with respect to terms and conditions of employment, promotion and training opportunities;

(b) Republic Act 7162, or the Local Government Code of 1991, provides for a sectoral representative for women in the different local government units. To date, however, no elections for sectoral representatives have been held, owing to the reluctance of local government officials to pay for the salaries and other expenses to be incurred by the sectoral representatives;

(c) Republic Act 7688 gives representation to women in the Social Security Commission.

108. To strengthen further the legal basis for equality between women and men in terms of participation in public and political life, the following bills had been filed in Congress:

(a) Senate Bill 1228 (1993) or the Mandatory Employment Act, directs that in all businesses and enterprises requiring or actually employing at least 10 regular employees, at least 20 per cent of the total workforce should be women;

(b) Senate Bill 1114 (1993) enunciates a policy that in the four years from its effective date, at least 25 per cent of the employer's workforce shall consist of women. In the eighth year, one half of the country's workforce should be composed of women;

(c) House Bill 142 (1995), or the Women Empowerment Act, mandates that appointive positions in the national and local governments be reserved to qualified women by a fraction of at least one third per classification. It requires that all duly accredited political parties reserve at least one third of its party slate of official candidates to women in elections for the municipal/city councils and provincial boards. The bill is encountering opposition from some groups who are questioning, among others, the constitutionality of the bill.

Other policy developments

109. Government line agencies have made policy changes to comply with the laws that give women equality with men, particularly Republic Act 7192, or the Women in Nation-building Act.

110. In 1990, a woman was promoted to the rank of a one-star Brigadier-General, the first to attain a star rank. In 1995, the Department of Interior and Local

Government recruited an additional 50 women police officers assigned to women police sections and other offices of the police force. Two women police commissioned officers were designated as provincial directors while four women police commissioned officers and three women police non-commissioned officers were designated as Chief of Police. This policy change is meant to ensure a more gender-sensitive handling of violence against women-related cases, as well as to enhance participation of women in peacekeeping.

111. The Department of Justice improved its hiring procedures to give women equal opportunity to be appointed as prosecutors.

112. The Armed Forces of the Philippines, under the Department of National Defense, revised its rules and regulations to conform with the requirements of Republic Act 7192. It supported a bill on the integration of Women Auxiliary Corps members into major services. The Philippine Military Academy has opened up its gates to female cadets.

113. The Home Insurance and Guarantee Corporation revised its by-laws to include provisions requiring women representation in its Board of Directors to a ratio of 60 males: 40 females.

114. In the Overseas Workers' Welfare Administration (OWWA), more women officers have been assigned to frontline units.

Institutional developments

115. The NCRFW Department of Labour and Employment and CSC formed the Inter-Agency Committee on Sexual Harassment to undertake training and information dissemination on sexual harassment and its prevention. Similarly, the gender-equality managers, composed of male managers and directors, were organized to create a productive and fulfilling work environment in government wherein all officials and employees, both women and men, are treated with full respect and dignity as human beings. These mechanisms were established in response to the growing problem of sexual harassment.

116. The Committee on Women and Family Relations in the Senate and its equivalent committee in the House of Representatives serve as mechanisms to ensure that women's concerns are given attention in Congress.

117. In the House of Representatives, women legislators banded together into a caucus called the Philippine Organization of Women Elected Representatives, Inc. (POWER). It aims to serve as a venue for the discussion of issues affecting women, to formulate laws as needed, and to support bills that promote women's welfare.

118. At the local level, the Provincial Women's Commission (PKKB), based in Bulacan, a province in Central Luzon, is pioneering in integrating women and gender concerns at this level. The following are the thrusts and objectives of PKKB:

(a) To conduct a regular review and evaluation of the extent to which women are integrated into all aspects of life - social, economic, political and cultural - at all levels on the basis of equal opportunities with men;

(b) To formulate programmes, projects and activities to develop and enhance the potential and capabilities of women and formulate and adopt measures to institutionalize this integration to attain sustainability;

(c) To recommend measures, strategies and plan of action to the barangay, municipal and provincial units involving women's issues and concerns.

119. The Sama-samang Inisyatiba sa Pagbabago ng Batas at Lipunan (SIBOL), a coalition of 13 women's networks for politics, has a transformative gender perspective. It has committed itself to the advancement of a legislative agenda for women and to raising the level of public debate on women's issues from the women's point of view.

120. The Center for Asia-Pacific Women in Politics (CAPWIP), a regional organization based in the Philippines, is advancing women's political participation by creating a critical mass of competent, effective and committed women politicians holding elective and appointive posts.

Programme/project developments

121. NCRFW led in conducting gender sensitivity training for women and men in the bureaucracy. It has held awareness-raising activities for most of the line agencies at national and subnational levels.

122. CSC, the Department of Labour and Employment and NCRFW sponsor a yearly Women in Government Congress to tackle issues that affect women personnel in the bureaucracy. In the 1995 Congress, about 500 women came together to discuss women's participation in the Government's decision-making processes and to come up with strategies to enhance women's positions in the bureaucracy.

123. There are several non-governmental organizations which aim specifically at advancing women's participation in politics and in government. In its special programme for women, the Center for Legislative Development provides critical intervention to legislative staff, legislators and non-government organizations through:

(a) Training, documentation and research services on legislative processes;

(b) The conduct of gender sensitivity training for elected women local officials and legislators;

(c) Regular dialogues with other non-governmental organizations on legislative advocacy for women.

124. Another non-governmental organization, the Women's Legal Bureau, conducts legal training for elected officials (local and national levels) and advocacy campaigns for women in politics. Other non-governmental organizations with

legal literacy programmes on women's human rights are the University of the Philippines Law Center, Institute for Social Studies and Action, Legislative Advocates for Women, Buhay Foundation, Kalayaan, Participatory Research and Organization of Communities through Education and Self-help, National Federation of Workers Clubs, PILIPINA, Ang Kilusan ng Kababaihang Pilipino, Stop Trafficking of Pilipinas, University of the Philippines Women's Lawyers' Circle, KABAPA, Kalakasan, Circulo de Abogadas, Sentro ng Batas Pangtao, Philippines Muslim Association, and Free Legal Assistance Volunteers Association.

125. Other non-governmental organizations act as consultants and reactors during congressional committee hearings, lobby for women-related, economic, peace and rights issues inside and outside Congress and participate actively in shortlisting of highly qualified candidates to fill vacancies in appointive and elective positions.

V. ARTICLE 8

Equal opportunity to represent Governments at the international level and to participate in the work of international organizations

126. As a policy initiative to enhance the consideration of women and women's issues in matters related to diplomacy and other international relations, the Department of Foreign Affairs, through its training arm, the Foreign Service Institute (FSI), incorporated gender in its regular training programmes.

127. As indicated in earlier reports, Philippine laws do not bar women's participation in international activities and organizations. At present, there are 128 women diplomats (out of a total of 332) consisting of 27 ambassadors, 21 career ministers and 80 consuls assigned all over the world. Among the 22 labour attaches, 6 are women, who are posted in Hong Kong, Tokyo, Rome, Spain, Milan and Bahrain.

128. Women were part of delegations to international conferences attended by government. In 1994-1995, women represented the country in at least 20 major international undertakings. They were mostly acting as alternate representatives. They headed the Philippine delegation in only three meetings. These are the Fourth World Conference on Women, held in Beijing in September 1995; the nineteenth session of the Management Committee of the Asia-Pacific Telecommunity, held at Bangkok in November 1995; and the 13th and 14th meetings of the ASEAN Women's Programme.

129. The types of conferences women attended in the last two years were mostly on topics that are traditionally thought of as women-related: family and children, social development, population, the environment and telecommunications. The absence of data on the total number of conferences the country was involved in could not establish women's participation in international affairs vis-à-vis men.

130. Filipinas are also active members of international organizations, particularly those in the United Nations system. A Commissioner of NCRFW sits

as a member of the United Nations Committee for the Elimination of All Forms of Discrimination against Women. Another Filipina has been appointed chairperson of the Social and Human Sciences Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Other United Nations bodies in which women hold significant positions are: Committee on the Rights of the Child; Committee for the Covenant on Economic, Social and Cultural Rights, and International Organization for Migration. It is noticeable that their participation is mostly in traditionally women's organizations and concerns.

131. While Filipino women do not lack "models" in international fields of endeavours, the statistics show that men still dominate in international representation. Socio-cultural barriers still prevent women from venturing into this field and in other non-traditional fields in particular. Many women would still pass up opportunities to advance in the international level because of home and family responsibilities. This is aggravated by the lack of a support system that should ease their multiple burden of work, family and social activities.

VI. ARTICLE 9

Equal rights of women and men to acquire, change or retain their nationality and that of their children

132. The Constitution of the Philippines ensures fundamental equality between women and men to acquire, change or retain their nationality and that of their children, as amply discussed in the Philippines' second periodic report.

VII. ARTICLE 10

Equality in education; career and vocational guidance at all levels; access to the same curricula; elimination of stereotypes; scholarship opportunities; access to continuing education; reduction of female drop-out rates; sports and physical education opportunities; access to health information, including family planning

Situation

133. Statistical figures show that Filipino women's educational status is steadily improving.

134. Literacy rate. The female literacy rate has been increasing, from 75.9 per cent in 1970 to 93.34 per cent in 1990.

135. Female enrolment. From 1982 to 1990, female enrolment increased by 59 per cent. Female enrolment figures in 1994 were as follows: 49.5 per cent in the elementary level, 51.5 per cent in the high school level and 56.2 per cent in the tertiary level.

136. Educational attainment. The proportion of women who had some high school education increased from 42.3 per cent in 1970 to 46.4 per cent in 1990. Female college degree holders also increased in proportion from 7.2 per cent in 1980 to 9.8 per cent in 1990. Among those who completed post-secondary vocational courses, 53.4 per cent were female. On the other hand, female household heads who had not completed any grade in school decreased from 14 per cent in 1985 to 10.4 per cent in 1988.

Policy developments

137. Enumerated below are policy developments, some of which were enacted even before the reporting period but were not mentioned in the earlier reports.

138. Executive Order 117 provides, among others, for the promotion and maintenance of equality of access to education and enjoyment of the benefits to be derived from it by all citizens. As a result of this and Republic Act 7192, women may now enrol in the Philippine Military Academy. In 1992, the Academy had 16 female cadets.

139. Republic Act 7323 (1992) encourages poor students to pursue their education through job opportunities during vacations. Employers who hire them pay only 60 per cent of their salaries, while the remaining amount is paid by government through education vouchers.

140. Republic Act 6728 (1989) grants government assistance to students and teachers in private education. These grants consist of tuition fee supplements, allowance for honour students and financial assistance to those who are in their first year in college. Private schoolteachers who have meagre earnings and are mostly female, can avail themselves of scholarships to enable them to continue higher education and qualify them for more responsible positions.

141. Republic Act 6972 (1990) mandates the establishment of a day-care centre in every barangay to enable women to use other options, such as taking a job or going back to school, and to respond to their multiple burden.

142. The following have been integrated into the policies of the Medium-term Philippine Development Plan, 1993-1998, which address, among others, the need to make education and training, especially in non-traditional fields, accessible to women:

(a) Making both formal and informal education accessible to women;

(b) Providing education and training opportunities, placement assistance, and incentives to women who desire to enter non-traditional fields of training;

(c) Ensuring the responsiveness of information, education and communication to the needs of women;

(d) Developing and upgrading (science and technology) manpower capability by strengthening engineering and science education and providing relevant technical training and improving literacy in information technology of women and men.

143. Region-based education programmes for women provided in the Philippine Plan of Action for Education for All, 1991-2000 are designed to give access to basic education programmes, develop desirable Filipino values, provide livelihood skills training and mobilize women to seek societal responsibilities:

(a) Alternative approaches to literacy improvement for women in the coastal areas and cultural communities or Region I;

(b) Social communication skills for socially disadvantaged women;

(c) Reaching out to the out-of-school youth, unemployed adults, women and disabled persons through continuing education;

(d) Development of a learning system for the improvement of life for women in rural communities.

144. Existing and emerging women/gender concerns in the sector are spelled out in the Philippine Plan for Gender-responsive Development, 1995-2025, with the corresponding recommendations. This will facilitate the focused response of governmental and non-governmental organizations involved in the sector.

145. Republic Act 7877, or the Sexual Harassment Act for 1995, has defined sexual harassment in the education, training and work setting and punishes it. Though this is expected to lessen sexual harassment perpetuated by professors who demand "a date for a grade" from their students, mechanisms for its effective implementation still have to be put well in place.

Programme/project developments

146. While the aforementioned policies may have curbed gender-based inequalities in access to education, the issue still exists, mainly because of cultural factors. For example, parents tend to give priority to sending boys to school when resources are limited. In other instances, parents are unwilling to send their daughters to study in urban areas (where most of the educational institutions are concentrated) because of the risks to which they might be exposed.

147. The following programmes or projects have been adopted by both governmental and non-governmental organizations to respond to continuing gender-based inequalities, not only in terms of access but more on the content and process of the educational system.

148. School-based centres with childcare workers training by the Department of Social Welfare and Development were established in Ifugao to support older children, usually school-age girls who had to take care of younger siblings while attending school.

149. To reduce the wide gender disparity in literacy rates in the six most depressed provinces in the country, the Female Functional Literacy Programme was pilot-tested in Maguindanao, Lanao del Sur, Sulu, Basilan, Tawi-tawi and Ifugao. Programme beneficiaries are equipped with knowledge, attitude, skills and values that will help them perform their roles in child survival protection and

development. It benefited 15,000 illiterate women (12 per cent of the female target population).

150. Scholarships and other forms of financial support are awarded to deserving and poor students, regardless of gender.

(a) The Department of Science and Technology offers 100 scholarships every year to students belonging to low-income families;

(b) The Department of Education, Culture and Sports has a Study-Now-Pay-Later Plan for financially disadvantaged students;

(c) The University of the Philippines has democratized its admission policy and offers subsidized tuition fees;

(d) Other scholarships, such as the State Scholarship program, the National Integrated Scholarship program for Cultural Minorities, the Selected Ethnic Groups Educational Assistance Program, the National Reconciliation Development Program for Rebel Returnees, and the Government Assistance for Students and Teachers in private Education, are being offered.

151. A number of programmes or projects for the disadvantaged sectors, such as the tribal population, have been implemented. One such programme is the Accelerated Teacher Training for Cultural Communities (ATTCC) under which teacher trainees from remote villages took part in a 26-month teacher-training diploma course in elementary education. The ATTCC graduates have been teaching literacy skills to an estimated 23,600 children and about 8,000 illiterate adults, mostly women of cultural communities, all over Mindanao every year.

152. Another programme is the Alternative Non-formal Education delivery Schemes which was developed and implemented for selected cultural communities. The programme, a joint effort of governmental and non-governmental organizations, including religious and academic institutions, benefited some 1,500 children and illiterate women and men in Manobo communities in the mountains of Bukidnon and the southern Philippines, and an estimated 3,000 Mangyan children and adults in Occidental Mindoro.

153. The Multigrade Teaching Approach increased the access to elementary education in areas such as the provinces of Ifugao and Negros Occidental which would otherwise not have met the required teacher-pupil ratio. This project benefited 32,858 schoolchildren.

154. Non-formal education programmes in aquaculture, processing of fish products and seaweed farming have been conducted for fisherfolk. A pilot programme which explores community learning approaches to literacy for women in the fishing villages north of Manila is being implemented.

155. A major issue that continues to limit women's fields of participation as education and training beneficiaries is sexism and stereotypes which perpetuate sex-role dichotomy and sexist attitudes. Many women are limited by the cultural roles assigned to them; hence they tend to venture into fields which are specified by cultural standards. Technical and vocational courses are still

dominated by men, although there is an increasing number of women taking up "male preserve" courses such as engineering, law and fishery.

156. The problem of gender-tracking has been aggravated by the lack of gender-sensitive counselling for students which, if made available, may widen the range of career choices for women. The need for counselling programmes that will encourage women's entry into non-traditional courses must be addressed.

157. To address the aforementioned problems, textbooks and instructional materials are continuously being reviewed for gender biases and discriminatory stereotyping. Home economics, previously an all-girl class, is now home technology, a common subject for girls and boys.

158. Moreover, the Women in Non-Traditional Trades Project, which is funded by the Netherlands Government with technical assistance from ILO has been implemented to promote the entry of women into non-traditional trade and industry areas. Its components include development of a trainers' training programme for all instructors of the National Manpower and Youth Council (NMYC) to continually upgrade their pedagogical skills; training of female instructors in non-traditional areas along various training methodologies utilized in skills training; and training of women in technology and industry courses. Instructional materials were also developed to improve quality of training. Various audiovisual equipment with video instructional materials were provided to all training centres to enhance the existing training delivery system. The Project also provides entrepreneurial development training for its graduates.

159. To accelerate the elimination of gender-stereotypes in education, there is a need to incorporate and take into account the gender perspective in teachers' training programmes. The Women's Studies Association of the Philippines, which is engaged in teacher training and curriculum development in women's studies, is taking a lead role in this.

Remaining issues

160. Notwithstanding the aforementioned efforts on the part of both the government and non-government sectors, issues and problems concerning the educational system, as well as agents and beneficiaries of education and training, continue to exist. These have been identified by the Department of Education, Culture and Sports itself and are reflected in the education chapter of the Philippine Plan for Gender-responsive Development. Some of these are enumerated below.

161. The highly stereotyped association of home management and child care with women find working mothers in the various sectors of society, such as in education and human resources development, engaged in full-time productive work in addition to full-time housework and other community concerns. This multiple burden has been observed to seriously affect the quality of job outputs, the time they have left for personal improvement in terms of further studies and availing themselves of training and scholarships abroad, and eventually, their chances of having a promotion. The problem is aggravated by the lack of support system and services such as day-care and child-minding facilities which, if

available and sensitive to working women's needs, could greatly lessen their burden and enable them to direct their energies towards productive work.

162. While encouraging developments have been noted on the participation of women in decision-making, their disproportionate representation in top-level positions in all areas affecting people's lives continues to be evident. This is particularly observed in the education sector where women constitute the majority of the schoolteachers but are not equitably represented as the positions go up. The continuing gender inequalities in access to power and decision-making need to be addressed to improve the status of women.

163. To ensure that gender becomes a critical variable in education and human resources development, there is a need for a continuing consciousness-raising and orientation programme among education agents (e.g. policy makers, school administrators, teaching and non-teaching personnel) for the promotion of more gender-sensitive educational goals, objectives, policies and programmes.

164. There is also need to look into why female teachers have limited opportunities for professional growth, or why they cannot avail themselves of such opportunities. Although it has been repealed as a policy, women with children below two years of age are not encouraged to go on scholarship or training abroad. Likewise, female teachers find it difficult to participate in local training programmes because they are hardly able to balance their time between reproductive and productive functions. The need to protect the husband's ego and the perception that wives' educational attainment should not exceed that of their husbands are also among the critical factors restricting women's pursuit of professional growth through further studies and training.

165. Another area of concern is the need to incorporate and take into account the gender perspective in teachers' training programmes. It has been noted that teachers are unable to participate in these programmes because the training design (e.g. time and location of training) does not take into account women's multiple responsibilities. Moreover, there is a need for a systematic, basic and in-depth training on women's studies for teachers and career counsellors.

166. The need to strengthen the central gender and development focal point and create similar mechanisms at the subnational level for the education and human resources development sector is a continuing concern that policy and decision makers ought to address.

167. There is a need to determine the extent of implicit and explicit discrimination that women continue to experience while enroling in some schools. The education needs of young women who are forced to drop out for such reasons as unplanned pregnancy, needs to be brought into focus and made the object of studies and appropriate responses.

168. Institutional mechanisms and structures such as gender and development focal points and non-governmental organizations/networks across the country need to be established or strengthened to ensure that the education and human resources development sector is gender-responsive. While such mechanisms already exist, they are confronted with problems of inadequate funding or weak structures as these are simply added to existing functions. It has also been

observed that mechanisms to ensue women's participation in contemporary movements for social change e.g., peace-building and maintenance, environmental upkeep, and human rights movements, are very limited.

169. The issue of gender-biased social construction of knowledge-making and transmission needs special attention. Learning concepts used in schools which are founded on human experiences need proportionately and accurately to reflect women's contributions in key disciplines such as science, history, social studies, mathematics and language. As a corollary, formal and organized efforts to purposively introduce contemporary scholarships on women are very inadequate.

170. There is a continuing need to critique, monitor, review and evaluate the Philippine educational system in terms of content, methods and learning processes and institutional mechanisms and structures vis-à-vis its relevance and responsiveness to emerging gender roles. For example, classroom-related studies and researches on teacher practices ought to be conducted periodically to identify teacher practices that negate gender-fair messages or those that reinforce sexism and sex-role stereotyping. Socio-cultural research on values that contribute to gender biases needs to be implemented as a basis for policy formulation.

171. Key officials and personnel (e.g. decision makers, policy makers, planners, programme managers/implementors) in the sector need to acquire broader gender perspectives to ensure that education and training plans, policies, programmes and projects are gender-responsive. Likewise, there is a need to address the lack of a gender-based data and information system (at the national and subnational levels) in educational planning, policy and programme formulation, implementation, monitoring and evaluation.

VIII. ARTICLE 11

Elimination of discrimination in all aspects of employment; appreciation of marriage and maternity concerns; continuous review of protective legislation

Situation

172. The National Statistics Office (NSO) gives the following estimates for 1994:

	Percentage female	Percentage male
Household population 15 years and above	50.3	49.7
Labor force participation rate	47.3	81.6
Unemployment rate	10.0	8.2

173. Data from CSC reveal the following trend in women's occupation of career executive positions in government:

Percentage female in government career executive positions

1994	15.0
1980	26.0
1990	29.0

174. A survey of labour organizations covering 4,290 establishments conducted by the Bureau of Labor and Employment Statistics in 1991 showed that men outnumbered women in labour union membership. Women accounted for only 35 per cent of the total membership of 233,338 and only 14 per cent of the 1,260 union presidents.

175. Republic Act 5490 authorized the building of more free trade zones where women's labour power was available at the cheapest possible rate. Out of 61,329 workers, 75 per cent are females working on textiles, garments, rubber products and electrical machinery.

176. The latest figures place the number of overseas contract workers at 52 per cent women. This reflects employment distress that affects the working women population. Women domestic helpers comprise 57 per cent of such workers in the service sectors, while entertainers comprise 34 per cent of those in the professional sector.

177. The median age of women overseas contract workers was estimated at 29.6 years, about six years less than the estimated median age of 35.9 years for men. The majority of the newly hired were in vulnerable occupations such as domestic helpers and entertainers, 32.5 per cent and 18.9 per cent respectively, of total deployment in 1993. Together, these occupations comprised 51.4 per cent of all newly hired, 95 per cent of them women. These figures exhibit the increasing feminization of overseas labour migration.

Policy developments

178. The following policies are those adopted during the reporting period and those that were not included in the previous reports.

Policies promoting equal employment

179. CSC passed resolution 84-463 which provides for the adoption and implementation of a policy (equality advocates or EQUADS) programme on equal opportunities and equal treatment for women and men in government employment. EQUADS at the CSC central office and in 14 regional offices attend to complaints of discrimination such as gender, political and sexual harassment.

180. Republic Act 7305 or the Magna Carta for Public Health Workers, enacted in 1992, allows public health worker couples to be employed or assigned in the same municipality. This would ensure that married female public health workers, who are expected in the Philippine culture to give up their work to keep their family together, do not have to choose between their work and their family.

181. Republic Act 6725, which was mentioned in the third periodic report, gives definite form to a number of discriminatory practices such as payment of lesser compensation to a female employee against the male employee for work of equal value, favouring men in promotion, training opportunities etc. The elimination of discrimination requires dynamic and continuing effort, including the development of measures to implement the anti-discrimination law progressively if full implementation is not immediately possible. Examples of these measures could be the promotion of affirmative action in the workplace, penalizing violators of Republic Act 6725 and revision of the implementing rules and regulations of that Act to operationalize the law.

182. In compliance with Republic Act 6972, or the Barangay Day Care Law, which provides supportive social services to enable parents to combine family obligations with work responsibilities, a total of 27,540 day-care centres in 23,538 barangays out of 41,924 were established by the Department of Social Welfare and Development in cooperation with local government units and non-governmental organizations/concerned citizens.

183. Two bills on paternity leave were filed in the Ninth Congress. The passage of a law on this will somehow equalize the costs of employing married women and men. Meanwhile, paternity leave benefits are granted depending on the benevolence of employers or the ability of workers to advocate them in the collective bargaining agreement. There are already a few private corporations that grant paternity leave.

Policies promoting women workers' protection

184. Republic Act 7688 (1994) gives representation to women in the Social Security Commission.

185. Republic Act 7655 (1993), an Act Increasing the Minimum Wage of Househelpers Amending for this Purpose Article 143 of Presidential Decree (PD) No. 442, as Amended, provides that househelpers (most of whom are women) receiving at least P 1,000.00 per month be covered by the Social Security System and are therefore entitled to all the benefits provided by the System. This law also upgrades the minimum wage rates of househelpers.

186. Legislation which has placed homeworkers under the coverage of existing social security and medical care benefits just like other wage earners still has to be operationalized. Homeworkers are those who do paid jobs at home, mainly for subcontractors. They are mostly women, since this type of economic activity still allows them to attend to family responsibilities. However, their terms of contract, which include low piece-rate payments, are generally inferior to those of regular wage earners and the extremely long work hours spent to meet quotas compound these women's multiple burdens. Further, the unclear employee-employer relationship in some instances makes the homeworker vulnerable to exploitation.

187. Homeworkers are covered by some protective policies, particularly articles 153 to 155 of the Labor Code. To effect these provisions, Department Order No. 5, or Rule XIV of the Rules Implementing Book III of the Labor Code on Employment of Homeworkers, was issued covering the following:

(a) The registration and types of assistance to homeworkers' organizations and employers and contractors;

(b) Payment and conditions for payment of homework, standard rates and deductions;

(c) Duties of the employer, contractor and subcontractor;

(d) Prohibition of homework;

(e) Enforcement power of the Department of Labor and Employment Regional Director over labour standards cases.

188. Considering the peculiarities of homework and the prevailing policy of the Government towards the increasing participation of the labour force in self-employment and livelihood activities, measures towards more effective enforcement of Department Order No. 5 need to be continuously reviewed and other social protection schemes developed.

189. An additional budget for implementing Republic Act 6972 (Act Establishing Day-care Center in Every Barangay) has to be allocated. As a support mechanism for working mothers, it will provide the homeworkers more opportunities to attend to their work and domestic responsibilities as well as other activities in the community.

190. Republic Act 7322 (1992) amends the social security law and increases the maternity benefit of women workers. But Rule XVI, section 12 of the Civil Service Law and Rules, which is applicable only to the government but not to the private sector, still requires marriage as a precondition to maternity leave and benefits.

191. Civil Service Rules have been amended by CSC resolution 94-2854 to include all forms of sexual harassment within the offence of "grave misconduct" for which corresponding heavier sanctions shall be imposed.

192. Republic Act 7877, or the Anti-sexual Harassment Act, was enacted in 1995. It provides that "work, education or training-related sexual harassment is committed by an employer, manager, supervisor, agent of the employer, teacher, instructor, coach, professor, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment demands, requests or otherwise requires any sexual favour from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of the said act". The law also provides, among other things, that sexual harassment is committed in a work-related environment when:

(a) The sexual favour is made as a condition in the hiring or in the employment, re-employment or continued employment of the said individual, or in granting the said individual favourable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favour results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect the said employee;

(b) The above acts would impair the employee's rights or privileges under existing labour laws;

(c) The above acts would result in an intimidating, hostile or offensive environment for the employee.

193. The Department of Labor and Employment adopted two significant policy issuances to further protect women workers:

(a) Administrative Order No. 28, Series of 1994, prescribes guidelines to improve the effectiveness of labour standards enforcement and specified women's concerns as a priority;

(b) Department Order No. 3, Series of 1994, sets guidelines for the training, testing and deployment of performing artists or entertainers.

194. Republic Act 8042 mandates the institution of a higher standard of protection and promotion of the welfare of migrant workers, their families and overseas Filipinos in distress. Section 2 (d) of the law specifically provides that "the State shall apply gender-sensitive criteria in the formulation and implementation of policies and programmes affecting migrant workers and the composition of bodies tasked for the welfare of migrant workers ...".

195. Department Order No. 13, Series of 1994, revised measures to further protect overseas household workers. It instructs, inter alia, the development and coordination of welfare programmes for household workers, to be implemented at the overseas centres mainly by the Philippine Overseas Labor Officers Corps. Among the special responsibilities assigned to the corps are the following:

(a) Monitoring the entry and departure of household workers in their respective areas;

(b) Conducting skills enhancement programmes for overseas contract workers;

(c) Implementing welfare programmes on site;

(d) Monitoring and assessing the welfare services of private recruitment agencies and entities;

(e) Implementing a pre-qualification system for foreign placement agencies as principals.

196. Philippine Overseas Employment Administration Memorandum Circular No. 41, Series of 1994, sets the guidelines for operationalizing this Department Order. It provided, inter alia, for:

(a) Establishment of the Household Workers' Center in the Philippine Overseas Employment Administration;

(b) Setting of the qualification, performance assessment and disqualification standards for licensed agencies/entities in the deployment of household workers;

(c) Registration, training and trade testing of household workers;

(d) Accreditation of foreign placement agencies.

197. As a consequence of exhaustive assessment and review by the Department of Labor and Employment of policies pertaining to the employment of performing artists abroad, a set of rules was issued giving the requirements, conditions and procedures by which performing artists may be hired overseas. The Department's Administrative Guidelines Implementing Department Circular 01-91 raised the minimum requirement for female performing artists to 23 years and instructed:

(a) The pre-qualification of employers by the Philippine embassy/consulate in the worksite;

(b) The accreditation with the Philippine Overseas Employment Administration of employers, through their licensed agents;

(c) The participation of promoters' associations in the accreditation of employers with the Administration and the processing of their recruited talents.

198. Department Order No. 35 of the Department of Labor and Employment, Series of 1994, provided for a comprehensive welfare programme for Filipino performing artists overseas.

199. Entertainers have been required to secure artist record books and should complete academic and skills training and testing before they could be employed abroad.

200. Responding to the case of Flor Contemplacion, a domestic helper convicted of double murder in Singapore and hanged after four years of imprisonment, the Government adopted a set of policy measures to address the issues surrounding the case and to respond to the issues and concerns confronting overseas contract workers in general. Executive Order 231 created a presidential fact-finding and policy advisory body whose first set of recommendations resulted to the President's issuance of a temporary ban on the deployment of domestic helpers to Singapore. He also ordered the allocation of funds for the provision of legal assistance to such workers.

201. Administrative Order 182 created the Assistance-to-National Task Force which is mandated:

(a) To develop and implement an integrated programme of government that will address the various concerns and problems resulting from migration;

(b) To develop a mechanism to ensure effective coordination among various agencies of government against illegal recruitment and the exploitation of highly vulnerable groups of migrants;

(c) To develop and implement a continuing information and community action programme to ensure the effective dissemination of information on migration issues;

(d) To review and develop policies to promote the welfare and interests of Filipino migrants.

202. Article 130 of the Labor Code prohibits night work for women except in certain instances. Though well-intended, this kind of protection tends to discriminate against women and favours male workers.

Policies encouraging women's productive participation

203. Republic Act 7882 (1995) provides for assistance to women engaging in micro and cottage business enterprises.

204. Republic Act 7884 (1995), an Act creating the National Dairy Authority, states that the Authority "shall encourage the participation of women's groups in dairy and dairy-related projects including dairy animal health care, village nutrition schemes, community-based processing, and marketing of milk and dairy products".

205. Although laws are generally adequate to protect workers and promote their welfare, there is a need for more specific legislation targeting vulnerable sectors. Issues that call for a response are the ineffective enforcement of laws and the low level of awareness among workers and employers alike of labour law provisions and labour standards.

206. For working conditions to improve in general, newly adopted administrative measures are being implemented to enhance the effectiveness and efficiency of the labour standards enforcement machinery. This is expected to also benefit vulnerable groups such as working women and homeworkers as one policy direction that gives special inspection priorities to the conditions and concerns of such groups. Among the features of the administrative measure is the institution of criminal action for infraction of labour standards laws, including the provision on the visitorial and enforcement authority of the Department of Labor and Employment as provided under article 128 (d) of the Labor Code, as amended.

207. Among the policies for the labour and employment sector in the Medium-term Philippine Development Plan, 1993-1998 are the promotion of investments that generate greater employment for both women and men; and the setting up of equality advocates in all government offices to address gender-related issues and concerns.

Institutional developments

208. More women officers in the OWWA front-line units, as well as in its overseas operations, were deployed to attend to the unique circumstances and needs of women overseas workers.

209. Filipino social centres overseas were restructured into Filipino workers' development centres to focus more on their welfare as workers, the major activities of which include:

(a) Registration programmes for non-documented workers;

(b) Organizing Filipino socio-civic organizations to represent workers' interests;

(c) Business and livelihood counselling;

(d) Preparing workers for reintegration into Philippine society after the completion of their employment contracts.

210. Gender and development desk officers were designated from each of the offices of the Philippine Overseas Employment Administration: Pre-employment Services; Welfare and Employment; Adjudication, Licensing and Regulations; and General Administration and Support.

211. To step up its gender and development programme, the Department of Labor and Employment developed an Integrated Plan for Gender and Development, 2000 from which would emanate the formulation of a yearly plan. As a strategy, officials of the Department would include as one of the key result areas in their personal commitment forms, the integration of gender concerns into the regular programmes of their agencies, starting in 1995.

212. Furthermore, the Philippine Plan for Gender-responsive Development, 1995-2025, has a chapter on labour and employment which enumerates policy, institutional and programme project developments brought about by the Philippine Development Plan for Women, 1987-1992; remaining and emerging women's/gender issues and concerns in the sector; policies and strategies which government organizations and non-governmental organizations could adopt; and programmes project areas to be implemented in response to the identified issues.

Programme/project developments

213. Gender-sensitivity training, gender-responsive planning sessions and other advocacy activities have been conducted for a number of the sector's top officials and heads of agencies, including programme and policy planners and implementors. These efforts need to be sustained and improved so that the mainstreaming of gender concerns in the policies, plans and programmes of the Department of Labor and Employment are fully operationalized and sustained.

214. The National Postharvest Institute for Research and Extension (NAPHIRE) of the Department of Agriculture has undertaken a training programme towards improving the role and efficiency of farm household members with emphasis on

women in post-production activities, and a training programme of rural women on postharvest loss prevention.

215. Related programmes and projects of the Center for Overseas Workers include the following:

(a) Pre-employment orientation seminars in which recurring questions for other government offices are clarified. These seminars are for prospective overseas contract workers in the vulnerable skills category (entertainers, domestic helpers), to safeguard their welfare and prevent them from falling into the hands of illegal recruiters (725 participants attended 15 seminars);

(b) 1,733 high-school students attended nine seminars on preventive education on migration;

(c) 25,000 copies of comics on trafficking and migration were printed and distributed;

(d) 1,000 copies of a newsletter were printed and distributed three times a year;

(e) From 1990 to 1993, a radio programme on the realities of overseas employment was aired regularly;

(f) Experts on migration issues made appearances on radio and television.

216. Among the factors that facilitate these efforts of the Center is partnership with and/or support from funding agencies, schools, government organizations, other non-governmental organizations and the clients. However, there remain sectors of society that clamour for a more integrated and synchronized government policy on the overseas employment programme.

217. The Philippine Overseas Employment Administration embarked on an extensive information campaign, through the mass media and a series of regional seminars, on illegal recruitment to safeguard outgoing workers.

218. Non-governmental organizations conduct pre-departure orientation seminars which aim to orient all departing workers on job site conditions, workers' rights and responsibilities, employment contract terms and conditions, problems inherent to the job, and how to handle such problems vis-à-vis government services being offered.

219. Through the Department of Foreign Affairs, the Philippines has signed social security systems agreements with France, Italy, the United Kingdom and Spain. These agreements provide protection and greater benefits for women workers who are especially vulnerable to exploitation and abuse.

220. For returning workers, the Overseas Workers' Welfare Administration launched its Returning Overseas Contract Workers through Entrepreneurship Mediation to help the workers become economically active as local entrepreneurs.

221. The Philippine Overseas Employment Administration, in cooperation with ILO, launched the entrepreneurship on migrant earnings project to start off initiatives for programmes that will assist returning migrants in establishing viable and sustainable livelihood projects. The project, which has been made part of the integrated livelihood programmes of the Department of Labour and Employment, involves skills upgrading, entrepreneurship development training and business awareness.

Other developments

222. The Philippine representatives to the United Nations took the lead in the adoption in April 1995 of a resolution that tackled the plight of women migrant workers.

Other issues

223. Employment as a major development strategy requires more policy reforms and long-term strategies, including solid guarantees for women's equal access to employment, as spelled out in the proposed National Employment Plan.

224. In addition, the Structural Adjustment Program and its possible effects on women workers needs to be considered carefully. With the Philippines' ratification of the General Agreement on Tariffs and Trade (GATT), adjustment measures will need to be implemented both to cushion the possible temporary displacement of workers and to help the sectors favourably affected to respond to increased demand for qualified workers.

225. Women trade unionists figure prominently as board members, secretaries, treasurers and auditors - positions that may be regarded as extensions of their mother/housewife roles. Women's relegation to lower positions in the unions reflects to some extent their socialization as men's subordinates. Other barriers to their equal participation include lack of time (because of their multiple roles as mother, wife and worker), lack of support (the trade union culture being male-oriented) and less access to training and education. These constraints in effect deny women's fair representation in both policy-making and decision-making in trade unions. Affirmative measures therefore need to be applied in order to promote women's empowerment and reduce the barriers to inequality in trade union participation.

IX. ARTICLE 12

Equality in the field of health care; access to health care services, including family planning; appropriate and free services pertaining to pregnancy, confinement and the post-natal period; adequate nutrition during pregnancy and lactation

Background

226. Studies done by the Department of Health have revealed that the health situation in the Philippines is improving. Maternal mortality decreased from 10 per 10,000 live births in 1985 to 8 per 10,000 in 1990. Postpartum haemorrhage, hypertension-complicating pregnancy, childbirth and puerperium and pregnancies with abortive outcome have been the leading causes of deaths among pregnant women. The infant mortality rate likewise declined, from 59 to 57 per 10,000 live births from 1985 to 1990. Female infants (27 per 10,000) tend to survive better than male infants (30 per 10,000). Death among women in the reproductive age has been principally attributed to heart disease, tuberculosis, cancer and pregnancy-related diseases.

227. With regard to immunization, the Department reports that the percentage of immunized female children was almost equal to that of male children in 1993. As regards mothers, the majority received at least one tetanus toxoid injection during pregnancy. It is interesting to note that most of the beneficiaries who were injected had reached at least high school, which clearly indicates that women who have a higher level of education were more aware of the importance of the preventive aspects of medicine.

228. As regards maternity services, nearly 60 per cent of births in 1993 were medically attended. The rest were attended by traditional midwives or "hilots".

229. While the overall health status is improving, a continuing problem is rural women's poor access to health care and services. Thus, their health, reproductive and nutritional needs are still not adequately responded to. This problem was further aggravated by the implementation of the Local Government Code of 1992 by which health services were devolved to the local government units which were apparently not ready to assume the function. According to the Department of Health, the delivery of basic health services to the people, especially those in the rural areas, suffered owing to the following: (a) inadequate funds of the local government units for basic health services; and (b) incapability of the local health personnel to take full responsibility for the health needs of their constituents.

230. As of 1993, the number of females infected with HIV was fast increasing. Of the 206 reported cases, 146 were in the productive age (15-29). As regards the mode of transmission, sexual and heterosexual/homosexual are the most common. Department data further revealed that for the past nine years five offspring caught the virus from their mothers.

Policy/institutional developments

231. Anchored on the current Medium-term Philippine Development Plan, 1993-1998, the Department of Health articulates its new vision for the Philippines as follows:

(1) Health as a national movement

(2) Health as an investment

(3) Health as a development and rallying point of all participating agencies

232. The Plan recognizes the role of women in development such that major programmes will be reviewed and redesigned to respond better to women's total health needs and not only to their maternal and reproductive health.

233. A 10-year investment plan (1995-2005) was likewise orchestrated, which aims to assure sustainability of national health programmes, support the process of devolution, rationalize sector spending and enhance institutional capabilities in management and planning.

234. The Department recognizes the role of non-governmental organizations as partners in development and thus networking with them is being enhanced. The following is a list of the organizations actively involved in health programmes:

(a) Womanhealth, a network of individuals, institutions and organizations that supports women's health and reproductive freedom;

(b) Pro-Life Philippines, which proposes natural family planning methods;

(c) Women's Health Care Foundation (WHCF), which helps upgrade and improve the quality of health care given to women;

(d) Institute for Social Studies and Action (ISSA), which carries out research, education and advocacy to promote health for all, especially women, youth and children;

(e) Health Action Information Network (HAIN), which works with communities and advocacy groups on diverse health-related issues, blending formal academic research methods with community-based perspectives.

235. The chapter on health in the Philippine Plan for Gender-responsive Development, 1995-2025, translates the Medium-term Plan vision into more operational policies and strategies. It seeks to empower women to control their fertility and sexuality with informed choice and minimum health problems and specifies that fertility limitation should not merely be seen as a means to achieve societal objectives. Moreover, it affirms that reproductive rights constitute part of human rights, as do safe motherhood and access to health services.

236. As an action response to the Beijing Platform for Action, the following are policy imperatives for health which will be the focus of implementation by the Department of Health of the Platform and which the Department has translated into concrete programmes and projects for implementation beginning in 1996:

(a) Achieve the highest level of health throughout the life cycle;

(b) Create an environment that will promote the attainment of the highest level of health throughout the life cycle;

(c) Empower women to exercise their reproductive rights.

237. The gender and development focal point in the Department has been strengthened through the issuance of Department Order No. 200-A. The Order, which was directed to the heads of different services, mandates the coordination of gender-sensitivity orientation and trainings, integration of gender-related concerns into the planning and implementation of programmes/projects, into health education and into information, education and communication messages of the different programmes, and initiatives towards sex-disaggregation of health data.

238. The Office for Public Health Services was created to administer all the related programmes and services addressing the needs of women. These services include the Family Planning Service, Nutrition Service, National AIDS Prevention and Control Program, Dental Health Service and the Women's Health and Safe Motherhood Program.

239. While in 1989 the Commission on Population passed a Board resolution designating the Department of Health as the lead agency for the implementation of the family programme, this was superseded by the Local Government Code of 1992 which devolved most of the health care services to the local government units.

240. To make the programme more acceptable and to mobilize assistance from all possible sectors, the Department has revised the policy statements of the Philippine Family Planning Program as follows:

(a) Rejection of abortion;

(b) Improvement of family welfare, with the main focus on women's health, safe motherhood and child survival;

(c) Freedom of choice; and promotion of family solidarity and responsible parenthood.

241. Other government initiatives enacted for the upliftment of women's health concerns are as follows:

(a) Republic Act 7305 (1992), also known as the Magna Carta for Health Workers, allows public health couples to be employed or assigned in the same municipality;

(b) Republic Act 7600, or the Rooming-in and Breastfeeding Act of 1992, provides an environment where the basic physical, emotional and psychological needs of mothers and infants immediately after birth are fulfilled through the practice of rooming-in and breastfeeding.

242. Pending bills include the following:

(a) Increasing maternity benefits for women employees in the public and private sectors to 120 days with full payment;

(b) Appointment of a Barangay Nutrition Scholar assigned to nutritionally depressed areas, with an annual travel allowance of P1,200;

(c) Appropriating P40 million for the Nutrition Improvement Fund;

(d) Allocating 20 per cent of the Local Government Development Fund for the Food and Nutrition Program;

(e) Creating a special fund for people with AIDS;

(f) Establishing family planning centres in all municipalities, including urban areas, and appropriating funds therefor;

(g) Establishing a national nutrition programme.

Programme/projects developments

243. With the assistance of the Australian Government, a number of middle managers from the Department of Health were given a scholarship grant on women's health, which covered multidisciplinary research on women and awareness-raising on women's health issues. Also designed for programme implementors, the Health and Humanpower Development and Training Services integrated women's health care into its training curriculum.

244. At the beneficiary level, a comprehensive package of preventive, promotive and curative care to ensure safe pregnancy and delivery is available through the Maternal Health Care Program. The programme package includes prenatal care, provision of routine services to normal pregnancies, immunization and care during and after childbirth. As of 1993, the programme was able to extend prenatal services to 80 per cent of pregnant women and 68 per cent for tetanus immunization. The adoption of the breastfeeding programme, which promotes exclusive breastfeeding from 0-6 months up to two years, is also being enhanced. To strengthen this programme, mother-friendly hospitals were established. According to health experts, early breastfeeding can prevent postpartum haemorrhage, help space pregnancies and prevent breast cancer.

245. "Sangkap Pinoy" was one of the most publicized programmes of the Department. Under this initiative, women and children are given food and micronutrient supplementation such as iron, vitamin A and iodine. As of 1994, 85.72 per cent of the target clientele have been served.

246. Through the Family Planning Program, new clinics were established which provide family planning information and services.

247. To amplify the initiatives related to AIDS and other auxiliary diseases, the National Acquired Immunodeficiency Syndrome/Sexually-transmitted Disease Prevention and Control Program was launched. Among other things, the programme aims to prevent the spread of the above and complications related to sexually transmitted diseases and cushion the psychological and personal impact of the disease among individuals, families, communities and the society at large. The Non-communicable Disease Control Breast and Cervical Cancer Control Program was undertaken to reduce mortality and morbidity through early detection using breast self-examination for breast cancer and pap smear for cervical cancer.

248. Several projects have been implemented by the Department to strengthen the programmes on women's health:

(a) The Philippine health development project, which aims to strengthen priority impact programmes of the Department, including those on maternal and child health and nutrition;

(b) The urban health and nutrition project aims to strengthen the delivery of health services, specifically those for women, youth and children in the urban poor communities of Metro Manila, Cebu City and Cagayan de Oro City;

(c) The women's health and safe motherhood project, which highlights the gaps in existing programmes for women and seeks solutions to the identified problems.

249. The National Nutrition Council (NCC), the highest policy and coordinating body on nutrition, has drafted the Philippine Plan of Action for Nutrition, 1993-1998. For the period 1993-1995, the Council reports implementation of the following:

(a) The Home and Community Food Production Program, designed to improve family food security. It provides seeds, seedlings and cuttings to the target beneficiaries;

(b) Micronutrient Supplementation and Food Fortification provides micronutrient supplements such as vitamin A, iodine and iron;

(c) Nutrition Education promotes the adoption of desirable food and eating practices through the conduct of mother's classes. As of this date, the programme has conducted classes for 710,000 pregnant and lactating mothers;

(d) Food Assistance provides supplemental feeding mostly for lactating and pregnant mothers. About 0.4 million mothers have been benefited by this service;

(e) Barangay Nutrition Scholars involves the recruitment, selection, training and deployment of volunteers. A total of 16,000 volunteers have been trained and deployed;

(f) The Fourth Country Programme for Children provides, among other things, nutrition education, micronutrient and supplementation projects, family food production and food security and nutrition advocacy among decision makers.

250. All the programmes indicated above are being carried out through the assistance of the local government units, the Department of Education, Culture an Sports, the Department of Health, the Department of Agriculture, Rural Improvement Clubs, the Nutrition Center of the Philippines (NCP), the Food and Nutrition Research Institute (FNRI) and various private and non-government sectors.

251. Despite support from the above-mentioned agencies, the implementation of the programmes has been hampered by the following:

(a) Inadequate supply of resources;

(b) Lack of technical knowledge on the bio-intensive gardening approach;

(c) Lack of a monitoring scheme;

(d) Beneficiaries still believe that miscarriage is due to the iodized oil capsule;

(e) Difficulty in taking in supplements owing to forgetfulness of women resulting from domestic worries and the discomfort of constipation;

(f) Lack of awareness and demand for fortified food products;

(g) Difficulty in attending classes owing to household pressures and chores;

(h) Absence of an alternative scheme for those who are not reached by supplemental feeding;

(i) Lack of funds to implement the projects fully.

252. In consideration of the health needs of victims and survivors of violence against women, Project HAVEN (Hospital Assistance to Women Victims/Survivors of Violent Environment) was conceptualized and a tie-up between and among the Women's Crisis Center (WCC), a non-governmental organization, the Department of Health and NCRFW was finalized. The project seeks to provide assistance to women victims of violence and to train caregivers of the beneficiaries. Located at the East Avenue Medical Center (EAMC), Project HAVEN is a pilot undertaking which is also designed to document and come up with guidelines on how to replicate it in other government hospitals, particularly in the regions.

253. Likewise, in coordination with the Department of Social Welfare and Development, the Congressional Spouses Foundation was recently inaugurated. This halfway house and sanctuary also caters for women victims of violent circumstances.

254. Notwithstanding these developments, there are issues and concerns which are still to be addressed. Among others, these are as follows:

(a) The low level of gender consciousness of policy makers, legislators, local government executives and programme managers on women's health needs and concerns;

(b) Non-implementation of the "Magna Carta for Health Workers" in some devolved localities;

(c) Inadequate benefits for community health outreach volunteers, who are mostly women;

(d) Need to strengthen the gender and development focal point at the national level and to set up focal points at the subnational level for top-level management/programme/implementors and project managers;

(e) Need to continuously address the leading causes of women's mortality and morbidity;

(f) Poor nutritional levels among women, pregnant and lactating;

(g) Inadequate access to medical attendance during childbirth;

(h) Reproductive health-related infections among women;

(i) Multiple burden of women that makes them vulnerable to disease and disabilities;

(j) Family planning practice is low;

(k) Low level of nutritional literacy and functional health among women and men;

(i) Lack of information on environmental/occupational health hazards;

(j) Inadequate health-care delivery system for some programmes in other areas, at the beneficiary level.

X. ARTICLE 13

Equal access in other aspects of economic and social life, particularly family benefits, financial credit and recreation, sports and cultural opportunities

255. The figures are staggering. In 1991, about 39.2 per cent of Filipino households were living below the poverty line. Considering that the primary responsibility of stretching the family budget to feed and clothe the children rests on the shoulders of Filipino women, saying that they have been suffering so much is an understatement. Their situation is exacerbated by the poor and inadequate basic services and facilities. In these circumstances, recreation,

sports and other cultural opportunities for the very poor, women in particular, seem far-fetched.

Policy/institutional developments

256. Since 1992, a number of institutions have been established to study the multifaceted poverty situation in the country and to design a holistic and integrated strategy to address the problem.

257. The Presidential Commission to Fight Poverty was established in 1992 to implement broad-based efforts on poverty. The Commission followed a highly consultative process of consultations at the provincial, regional and national levels with sectoral government agencies and non-governmental agencies and, in the process, directed inter-agency efforts towards common objectives and undertakings.

258. The Presidential Council for Countryside Development was also created in 1992 with the task of identifying and addressing the problems of regions, provinces and areas that lag behind in terms of economic growth. It was mandated to encourage local administrators to focus their development efforts on potential growth areas for economic development.

259. The Presidential Commission for the Urban Poor is responsible for linking the urban poor to government services and programmes.

260. While there are a few women non-governmental organizations coordinating and working with these commissions, their policies and programmes have yet to make serious and committed efforts at targeting and benefiting women and men equally.

261. In line with the Medium-term Philippine Development Plan, 1995-1998, the President launched the Social Reform Agenda as a centrepiece programme of the Government. Among other things, the programme provides avenues for intervention for women's needs in terms of capability-building for productivity skills and livelihood, services for women in especially difficult circumstances, and information and services for family planning, responsible parenthood and reproductive health.

The Minimum Basic Needs Approach

262. The adoption of the Minimum Basic Needs Approach has been started recently, focusing on those needs related to survival (health, nutrition, sanitation and water), security (shelter, income, peace and order) and empowerment (basic education and literacy and participation). The approach defines well-being as the household's ability to meet basic needs, while poverty is defined as the sustained inability of a household to do so. It allows the development managers to use other multisectoral and multidisciplinary approaches towards economic empowerment. Since it has been established that women bear the brunt of poverty and have less access to basic services, productive resources and employment, the Approach enlightens development managers, enabling them to draw up realistic plans for women's empowerment.

Day-care centres

263. To ease the multiple burden of mothers, Republic Act 6792 mandates the establishment of day-care centres in every barangay. As of 1993, the Department of Social Welfare and Development, in coordination with local government units, parents' groups and non-governmental organizations were able to construct 20,211 day-care centres nationwide.

264. In addition to the custodial services and comfort being provided by the centre, it also offers additional services and programmes designed to develop positive values, attitudes and behaviour in the children through play and socialization activities.

265. With the growing number of working mothers, the demand for day-care centres is on the rise. Moreover, there is a need to extend the same facility to mothers working on night shift.

Assistance to senior citizens

266. The Senior Citizens Welfare Law, Republic Act 7432, was issued to provide benefits to citizens 60 years old and above, whose annual income does not exceed P 60,000.00. The benefits being given are in the form of privileges which include: a discount of 20 per cent on transport services, purchase of medicine, movie houses, restaurants and other recreational facilities. Since the greater number of senior citizens are women, the potential of the law for them is high.

267. Though the benefits provided by the Law can help alleviate the economic burden of senior citizens, a great number of them are not yet aware of this benefit. Information dissemination regarding the Law is not as intensive as it ought to be.

268. Moreover, a provision of the Law which upgrades the pension benefits of retirees from government and private service to be at par with the salaries and benefits of those in actual service is not being implemented. Hence, elderly retirees can hardly cope on their meagre pension, which is based on salaries under the old scales and include only token increases. Many can not buy medicine and other basic needs.

Assistance to disabled persons

269. Republic Act 7377, otherwise known as the "Magna Carta for Disabled Persons", provides for rehabilitation and development assistance to disabled persons to enable them to be integrated into the mainstream of society. It enunciates policies aimed at protecting the human rights of the disabled and ensuring that facilities are provided to enable them to become productive and contributing members of society.

Implementing the Beijing Platform for Action

270. Among the policy imperatives adopted by the Government to implement the areas of concern of the Beijing Declaration and Platform for Action are the following:

(a) To adopt and maintain macroeconomic policies, including those aspects of structural adjustment programmes and development strategies that address the needs and efforts of women to overcome poverty within the framework of sustainable development;

(b) To strengthen access of women to training, economic resources (including land, credit, science and technology, vocational training, information, communication and markets), employment and promotion opportunities.

271. Concerned agencies of government, such as trade and industry, education, science and technology, are expected to translate these policy imperatives into concrete programmes and projects.

Other relevant laws

272. Other laws passed to uplift the economic and social life of women are the following:

(a) Republic Act 7882 provides assistance to women engaged in micro and cottage business enterprises. The passage of this law allows women to expand their businesses and become more competitive;

(b) Republic Act 7655 increases the minimum wage for domestic helpers;

(c) Republic Act 7322 increases maternity benefits of women workers.

273. Other pending bills related to the concerns of this article are:

(a) Senate Bill No. 429, the Solo Parent Act, recognizes the growing number of solo parents, the majority of whom are women, who are left behind by their partners for overseas contract work;

(b) House Bill No. 876, Act Establishing a Community Women's Support Center in Every Depressed Barangay in the Country and Appropriate Funds for the Purpose;

(c) Senate Bill No. 1114, Act Affording Protection to Working Women, Strengthening their Rights to Employment Opportunities in both Private and Public Sectors and Strengthening the Prohibition of Discrimination Against Women with respect to their Employment;

(d) House Bill No. 12430, Act Increasing Maternity Leave Benefits of Women Employees in the Public and Private Sector.

Programme/project developments

274. With the assistance of the Government of Japan, the Department of Social Welfare and Development has undertaken productivity skills capability-building for disadvantaged women in the areas of food preservation and processing, sewing craft, toy craft, ceramics and pottery and rattan craft. As of 1993, the programme was able to train 53,570 women beneficiaries. Of the total number, 39,113 were absorbed in the labour market while the rest became self-employed,

working in sheltered workshops and under subcontract arrangements. Close to 400 worked as community-based trainers. This project, however, has been criticized for focusing only on traditional skills of women and could be enhanced if it ventured out into non-traditional areas and opportunities.

275. Another programme for poor women relates to community production centres. The women obtain part-time or full-time work without leaving their community. They are spared transport expenses and the stress of commuting through heavy traffic and the worry of leaving their children by themselves or in other people's care.

276. The Department has likewise initiated programmes for women in especially difficult circumstances, victims of illegal recruitment, involuntary prostitution, battering and physical abuse, rape etc. In 1991, the "Bahay Tuluyan ng Kababaihan" was launched to provide temporary shelter to women in crisis situations. The "Hapag Dulugan Para sa Kababaihan" offers a 24-hour Hotline Service and also caters for women in difficult situations. Up to 1993, the "Hapag" was able to serve 10,023 clients.

277. A women's issue with regard to housing is the complicated procedure in applying for a housing loan. It requires a total of 11 documents/forms to be filled up by applicants/beneficiaries, from four to seven copies. The primary beneficiary has to sign her or his name 118 times, and the spouse 82 times. On top of the seemingly unending requirements and signatures is the processing of the application, which usually takes a considerable length of time, thus discouraging the poor and the not-so-educated from availing themselves of the opportunity being given them.

278. Notwithstanding the observable increase in the participation of women in sports, no documents or data are available to show any major effort to strengthen the role of women in this field.

XI. ARTICLE 14

Problems faced by rural women and their roles in their families' economic survival, including their work in the non-monetized sectors of the economy; eliminating discrimination against rural women and equality to participate in development planning; access to health care and family planning, social security, education and extension services; participation in self-help groups and community activities; access to agricultural credit and other facilities and adequate living conditions

279. In line with the passage of Republic Act 7192, the Women in Development and Nation-Building Act, which strengthens the Government's commitment to ensure women's involvement in the development process, supportive policies, measures, mechanisms, programmes and plans were issued, passed and adopted.

Policy/institutional developments

Legislative actions/administrative orders/issuances

280. The Department of Agriculture, one of the Government's lead agencies in charge of the development of the rural areas, has drawn up the Medium-term Agricultural Development Plan. This Plan seeks to enable those in the sector, both women and men farmers and fisherfolk, to raise their incomes and improve their standards of living. It also aims to provide the necessary infrastructure and other support services to facilitate agricultural productivity.

281. Also within the framework of Republic Act 7192, the Department of Agrarian Reform, the agency involved in promoting equitable access to and control over land, adopted policies and guidelines for the effective implementation of the Comprehensive Agrarian Reform Program. Through Administrative Order No. 2, Series of 1993, rules and regulations for the identification, delineation and recognition of ancestral domains were designed. This Order provides that all farmworkers who are married to each other may be entitled to three hectares each, provided that their vested rights to the land have been duly established. A separate certificate of land ownership agreement must be issued to each of the spouses. This has been a landmark development from the traditional manner of issuing certificates to the male household heads.

282. Under the Department's programme beneficiaries development units, the Agrarian Reform Communities Strategic Development Intervention Framework was developed which details the gender-based organizing and development process. It also initiated the generation of gender-specific data through in-house research to find out how women are benefiting from the Comprehensive Agrarian Reform Program.

283. The Department of Environment and Natural Resources, through Administrative Order No. 4, Series of 1991, grants the Integrated Social Forestry Program's certificates of stewardship contracts to both spouses, making the husband and wife co-stewards of the land. This initiative, however, is being criticized by some non-governmental organizations, according to whom there is conflict between customary land use and ownership of indigenous peoples in the present legal system. The right to ancestral domain has not been enacted into law. They likewise revealed that the Department initiated the programme (identified and delineated ancestral land) without consulting the affected indigenous peoples.

284. In compliance with Republic Act 7192, the Philippine Plan for Gender-responsive Development was formulated. The Plan, which is envisioned to address gender and development concerns from 1995 to 2025, is the Philippine Government's 30-year perspective framework for pursuing full equality and development for women and men. The chapters on agrarian reform, agriculture, indigenous people and environment and natural resources in the Plan explicitly recognize the role of rural women in the development process.

Creation of gender and development focal points

285. Aside from the Medium-term Agricultural Development Plan, the Department of Agriculture likewise issued Special Order No. 21, series of 1994, directing all

agency units to reorganize their respective focal points - to facilitate the mainstreaming of gender concerns and make them more responsive to recent developments in government policies. A Technical Working Group was created within the Department to formulate a strategic plan for mainstreaming gender concerns through data generation of selected agricultural information and data. Agricultural mainstreaming is further implemented through gender-sensitivity training and other related courses among the agency's top officials, middle management and rank and file employees.

286. The Department of Agrarian Reform has also established women in development focal points at the national down to the municipal levels to ensure the implementation of its plan in that regard. Agencies which reach out to women in rural areas, such as the Office for Muslim Affairs and the Office of the Southern Cultural Communities have likewise created focal points and have trained their staff on gender sensitivity.

Implementation of the Beijing Declaration and Platform for Action

287. Part of the policy imperatives that will have an impact on rural women and which was recently approved by the President for implementation by the respective agencies with regard to the Beijing Declaration and Platform for Action are the following:

(a) To adopt and maintain macroeconomic policies, including structural adjustment programmes and development strategies that address the needs and efforts of women to overcome poverty within the framework of sustainable development;

(b) To strengthen the access of women to training, economic resources (including land, credit, science and technology, vocational training, information, communication and markets), employment and promotion opportunities.

288. Other measures, supportive policies and mechanisms that have been enacted or established in pursuit of the mainstreaming of rural women's concerns are the following:

(a) Republic Act 7884, or the National Dairy Authority, which encourages the participation of women in dairy and dairy-related projects, including diary animal health care, village nutrition schemes, community-based processing and marketing of milk;

(b) The Social Reform Agenda, which provides capability-building for productivity skills and livelihood services for women in especially difficult circumstances and information services for family planning, responsible parenthood and reproductive health;

(c) The Presidential Council for Countryside Development, which identifies and addresses the problems of economically depressed regions, provinces and areas; and motivates the administrators to focus development efforts on identified potential growth areas to accelerate socio-economic growth.

Programme/project developments

289. Under the Medium-term Agricultural Development Plan, the Department of Agriculture adapted the Grameen Bank scheme by providing credit access to rural women as well as promoting savings mobilization and capital build-up formation. As of 1995, the membership of the scheme totalled 13,528, with 12,357 members having availed themselves of loans amounting to P31.4 million. Total savings generated by members amounted to P4.2 million. Beneficiaries of this programme are the bottom poor women in the rural areas.

290. Through the Grains Production Enhancement Program, the Rapid Rural Appraisal Survey was conducted, covering 38 Program priority provinces with an estimated 13,000 farmer-respondents, for the months of September to March 1993, cropping season. The Survey aims to generate sex-disaggregated data. The First Program Performance Review was also initiated to assess the efficiency of the Program in delivering services to the intended women and men beneficiaries.

291. In addition, a national integrated pest management programme, "Kasaganaan sa Sakahan at Kalikasan" (KASAKALIKASAN) was implemented which aims to educate farmers on proper crop husbandry and pest management through training. The project guaranteed the participation of at least 30 per cent of women farmers and technicians nationwide.

292. Other programmes which adopted a special focus on women are the following:

(a) A post-harvest project, which aims to improve the role and efficiency of farm household members in post-harvest activities and train rural women in harvest loss prevention;

(b) Development of small engineering technologies for women;

(c) A pilot community for fisherfolk.

293. The Department of Agriculture has also fielded technicians to provide extension services to village people. As of 1991, it was able to mobilize 21,000 agricultural technicians who provided technical support in farming, livestock and poultry-raising and home management to rural folk. The implementation of this programme, however, is now under the supervision of local officials in compliance with the Local Government Code; hence, the activities of the technicians are no longer monitored. No data are available on whether or not local government units are pursuing this project.

294. Aside from providing extension services, Department of Agriculture technicians organize rural women into groups known as Rural Improvement Clubs. Efforts have been exerted to reorient these clubs to take on less traditional activities.

295. To cushion the adverse effect of the adoption of GATT, an action plan of adjustment measures was drafted for the agriculture sector, as follows:

(a) Those that would require legislative and executive actions to minimize and neutralize temporary dislocation in the sector before and after ratification;

(b) Those that are designed to enhance the competitiveness of farmers and fisherfolk to enable them to seize the opportunities provided by the opening up of new and more stable markets for Philippine agricultural products.

These initiatives could be of great help to rural women considering that the majority of them are in these sectors.

296. To encourage and enhance women's participation in agricultural planning, the Philippine-Australian Pilot Provincial Agricultural Extension Project was initiated in 1992 in two regions of the country. An integral part of the project was the organization and mobilization of rural-based organizations in drafting a community plan and, in particular, an agricultural sector plan through research and planning. Though the participants found the process too time-intensive, they acknowledged two benefits: learning from their involvement in the project, and confidence in the resulting plans.

297. KaBaPa, a coalition of peasant women's organizations, has been active in electoral literacy through the production of voter's manuals and translation into various Philippine languages and dialects. They also conduct study sessions for its members to discuss pressing political matters, such as foreign debt.

298. The Technology Outreach and Community Help Foundation (TOUCH), a non-governmental organization working with people's organizations in Mindanao, conducts sessions in which couples are brought together to discuss gender issues. The topics are mainly personal and cover such questions as how the man treats his spouse, work-sharing at home, leisure and vices. The sessions give emphasis to the couple's experience via-à-vis gender roles and sexual relations; women's expanding roles; men's sharing in home and family responsibilities; and recognition of women's right to self-determination. Women beneficiaries have revealed much improvement in their spouses, such as in helping with housework and cutting down on their drinking.

299. The Department of Agrarian Reform, on the other hand, has continuously committed itself to make the Comprehensive Agrarian Reform Program equally beneficial and accessible to women and men. As of 1992, the programme was able to distribute a total of 363,276.65 hectares of agricultural land to farmer beneficiaries. Of this number, 270,096 were under the emancipation patents and 28,455 were for certificates of land ownership agreements. It could be noted, however, that of the emancipation patent holders, only 11.5 per cent were women. In terms of hectarage, approximately 326,496 or 90 per cent were owned and controlled by men and only 35,815 or 10 per cent were owned by women.

300. The certificate, on the other hand, was also predominantly awarded to men, who comprised 82 per cent of the total holders as compared with only 18 per cent for women.

301. It is to be noted that the awarding of patents and certificates of land ownership is highly unequal between women and men. According to sector studies, this is attributed to the following:

(a) The low number of female-headed households in the country;

(b) The prevailing cultural norms which consider farming as masculine work and gives men the prerogative of owning and inheriting agricultural lands at the beneficiary level;

(c) The low participation of women in advisory or decision-making bodies such as the Presidential Agrarian Reform Councils, and the Provincial Agrarian Reform Coordinating Committees on the part of the programme implementors.

302. Moreover, little recognition is given to women as farmers and worse, as fisherfolks. They lack equal access to information and resources such as training, new technology, credit and marketing facilities.

303. One of the highly criticized programmes of the Government is the Comprehensive Agrarian Reform Program. One criticism is that the implementation has been so sluggish; only minimal land distribution has occurred and minimal support services have been made available in the rural areas. In addition, the indiscriminate conversion of urban and industrial zones displaces peasant families and threatens food security.

304. A few government lending institutions (Land Bank and the Development Bank of the Philippines) are now providing loans for rural women payable in five years with minimal interest and no collateral. The Overseas Workers Welfare Administration also gives capital assistance with low interest rates and debt-to-equity minimum collateral requirements. Despite such developments, it is widely observed that credit resources earmarked for farmers are eventually given out to male farmers. This is especially true for bank-managed credit programmes for mainstream farming and fishing.

305. In contrast, small loans disbursed under the social or microenterprise credit scheme, which tend to characterize many credit projects of non-governmental organizations, find their way to women.

306. The "Tulong sa Tao"-NGO Micro-Credit Program of the Department of Trade and Industry is designed to address the credit needs of existing and potential microentrepreneurs through the extensive use of non-governmental organizations as conduits for lending and technical assistance. As of December 1994, a total of 14 women had availed themselves of the programme. However, amid the increasing opportunities being given to women as far as credit facilities are concerned, studies show that loans extended to women remain small and are often insufficient to increase the scale of their project operations.

307. This issue was particularly responded to by the Department of Trade and Industry when it recently worked for the amendment of the Implementing Rules and Regulations for Republic Act 7882 upgrading the maximum loanable amount for women in microenterprises from P1.5 million to P5.0 million.

308. Through the Self-Employment Assistance Program for Women, the Department of Social Services and Development appropriated funds for interest-free credit without collateral for livelihood projects among the very poor.

309. The Canadian International Development Agency - Entrepreneur Support Project is currently being implemented in Regions VI, VII and XI through the Bureau of Small and Medium Business Development of the Department of Trade and Industry. This project aims to strengthen the delivery capability of public and private institutions supporting micro, cottage and small enterprise development. It also provides continuing awareness through seminars on gender and environment consciousness.

310. The developments reflected in this report are indicative of the increasing attention being given to rural women as potent in attaining rural development.

XII. ARTICLE 15

Women's equality before the law; equal opportunities to exercise legal capacity such as in concluding contracts and property administration; equal treatment in court procedures, among others

311. Women's awareness of their rights is a crucial prerequisite to their fulfilment and enjoyment of equal status with men. Thus, while the Philippines is said to have basic rights of women entrenched in its laws, women are not able to exercise these rights fully as indicated by their relatively lower status in the different spheres of life and development sectors such as education, business and employment. For example, there is a larger number of unemployed women, relatively low salaries of female employees, and low ratio of women in supervisory and management positions, including in the foreign service and in the judiciary.

312. The passage in 1992 of the Women in Development and Nation-building Act, Republic Act 7192, ushered in a number of significant initiatives pertaining to women's rights. These are as follows:

(a) Republic Act 7305 (1992), or the Magna Carta for Public Health Workers, further allows public worker couples to be employed or assigned in the same municipality;

(b) Republic Act 7322 (1992) amends the Social Security Law and increases the maternity benefit of women workers;

(c) Republic Act 7655 (1993) increases the minimum wage of domestic househelpers and makes social security available to them;

(d) Republic Act 7688 (1994) gives representation to women in the Social Security Commission;

(e) Republic Act 7877 (1995) makes sexual harassment unlawful in the employment, education or training environment;

(f) Republic Act 7882 (1995) provides for assistance to women engaging in micro and cottage business enterprise.

313. The Department of Justice has started to implement a strengthened Witness Protection, Security and Benefits Program, under which vital witnesses are given security and protection from harassment and threat. victims of injustice, especially women, have been given a stronger assurance of impartial and speedy disposition of their cases. Moreover, continuous review and revision of regulations, memoranda, circulars, issuances and procedures to eliminate gender bias in the prosecution of cases are being undertaken by the National Prosecution Service of the Department.

314. To reinforce these initiatives, the following orders were issued by the Department:

(a) Department Circular No. 49 provides that the total period for preliminary investigation should not exceed 60 calendar days from the date of assignment to the investigating prosecutor. Thus cases of women who are victims of violence will be promptly filed in court;

(b) Department Circular No. 61 provides for the adoption of new rules on inquest and investigation procedures. Among others, it aims to encourage women to seek immediate action on their complaints;

(c) Department Circular No. 65 provides for the adoption of a policy on the speedy hearing or trial of cases and the coverage of witnesses by the Witness Protection, Security and Benefits Program.

315. Much of the inequality in the legal capacity is found within marriage and family relations (see the report under article 16).

XIII. ARTICLE 16

Equality rights with respect to marriage and family relations

316. The previous reports have cited Philippine laws that comply with the Convention's provisions on equality between women and men with respect to marriage and family relations. The present report will cover the remaining discriminatory laws that prevent women from achieving equal status with men in marriage and family. It will also discuss socio-cultural hindrances that prevent actual compliance with specific provisions of this particular article of the Convention. The issue of violence against women in the family will also be covered.

Discriminatory laws

317. The 1987 Constitution and the Family Code (also passed in 1987) removed many of the gross inequalities in law pertaining to marriage, family and property relations. However, there remain provisions that indicate inequality between women and men in the family, among which are the following:

1. Family Code

(a) Article 46 provides fraud, such as the concealment of pregnancy with another man, as one of the reasons for annulment of marriage. However, it is silent on the case of a man who has caused the pregnancy of another women who is not his wife.

(b) Articles 96, 211 and 225 state that the husband or father's decision should prevail in case of disagreement in the administration and employment of community property, parental authority or in the exercise of legal guardianship over the property of an unemancipated common child.

2. Civil Code

(a) Article 39 denies an adult married women some legal rights when it states that "A married woman, 21 years of age or over, is qualified for all acts of civil life except in cases specified by law".

(b) Article 765 allows the revocation of a donation in case of an act of ingratitude against the wife of the donor. Why an act of ingratitude against the husband of the donor is not being made a ground for revocation perpetuates the double standard.

(c) Article 2238 states that if the husband is insolvent, the administration of the conjugal partnership or absolute community may be transferred to the wife or third person. This presumes that the husband administers the conjugal property.

(d) Article 919 (3) identifies sexual infidelity as one of the causes of disinheritance between spouses. It defines sexual infidelity as adultery for women and concubinage for men, again a double standard.

3. Code of Muslim Personal Laws

(a) Article 27 allows a man to have more than one wife "if he can deal with them with equal companionship and just treatment as enjoined by Islamic law and only in exceptional cases", but a woman may not have more than one husband.

(b) Articles 28 and 29 restrict the subsequent marriage of a widow or divorcee unless she has observed an idda (four months and 10 days from death of husband or three monthly courses from the date of divorce).

(c) Article 29 allows the husband to take back his wife without the need of a new marriage, if they are reconciled during her idda; restricts the right of the wife to acquire any property by gratuitous title, except from her relatives; and restricts the right of the wife to exercise any profession, occupation or business.

4. Civil Service Rule XVI, section 12 requires marriage as a precondition to maternity leave

5. Revised Penal Code

Article 333 on adultery, and article 334 on concubinage, define the different grounds for infidelity within marriage. To be guilty of adultery, a wife needs only to engage in sexual intercourse with another man while the man can be charged with concubinage only if he keeps a mistress, has sexual intercourse under scandalous circumstances or cohabits with another woman.

6. Customary Law

One of the biggest obstacles to the equalization of women's rights is the difficulty of breaking down the patriarchal traditional power structures in the family. These gender biases cut across economic and cultural systems, which are deeply rooted in society's psyche. Sometimes, even when statutory laws have been relaxed to a woman's favour, customary laws continue to render them academic. Thus, there is a need for continuing information and legal literacy campaigns.

Article 16 (e)

Family planning rights

318. While the Constitution affords spouses the same right to decide freely and responsibly on the number and spacing of their children, the general perception is that in the majority of households, the husband's decision still prevails. The still dominant macho culture that defines maleness based on the number of children prevents women from fully exercising their right to decide if, when, and how many children to have.

319. In preparation for the 1994 International Conference on Population and Development, women's non-governmental organizations were very active and created a good deal of interest in the media on women's rights with respect to their reproductive role. Partly due to that Conference, as well as the Beijing Fourth World Conference on Women, the Department of Health has adopted the following policy imperatives:

(1) Achieve the highest level of health throughout women's life cycle;

(2) Create an environment that will promote the attainment of the highest level of health throughout women's life cycle;

(3) Empower women to exercise their reproductive rights.

320. For the last three years, the Government has embarked on a vigorous family planning campaign. While there is a steady decline in the population growth rate, problems such as lack of information on the various family planning

methods and actual or perceived difficulty in obtaining these methods or devices continue to plague programme implementors. The idea that family planning programmes cater only or mainly for women, and the lack of motivational strategies to involve the men, has led to non-cooperation, which accounts for much of the failure of couples to practise contraception.

321. Other socio-cultural factors affect the decisions of women regarding their reproductive health. The association of contraceptive use with prostitution and infidelity continues to deter many women from using contraceptives without their husband's permission. On the other hand, the men fear that contraceptives would lead to their wife's promiscuity. Being a predominantly Catholic country, it is believed that the church's opposition to artificial contraception has induced guilt feelings among many women who feel they are sinning when they use methods other than those endorsed by the church. However, recent studies have shown that most women do not take into consideration their religious beliefs when it comes to family planning and that the unmet needs for services and supplies are the bigger problem.

Article 16 (g)

Right to choose a family name

322. Neither the Family Code nor the Civil Code explicitly states that a women can choose to retain her maiden first name and surname after she marries, thus not fully recognizing her right to choose a family name. An effort to amend the two laws is in progress with the filing of Senate Bill No. 430, an act allowing married or legally separated women to use their maiden first name and surname.

323. However, since there is also no explicit prohibition against married women continuing to use their maiden name, there are women in the country who opt to do this even after marriage.

Domestic violence

324. Filipino families are undergoing changes in the composition, size, structure, support system and organization. In addition, there are indicators of ongoing family instability and disorganization (Philippine Plan for Gender-responsive Development, 1995). One important indicator of family dysfunction is the pervasiveness of domestic abuse and violence, which are directed mostly at women. Domestic violence, manifested mostly through wife-beating and marital rape, is treated as private matter and is not viewed as an offence requiring community or state prevention. It was only recently that a bill was filed in Congress criminalizing physical and psychological acts of wife-cruelty, thereby acknowledging the reality of the offence and the need for legislation. Without any law specific to domestic violence, police officers have not been convinced that they should arrest abusers, even when the abused woman files a complaint.

325. One positive development with regard to these issues is the increasing attention being given to it in policy debates and decision-making. The current plan for women has a whole chapter on violence against women and another on the family.

326. The incidence of domestic violence remains underestimated because of the difficulty in gathering data. Battered women themselves refuse to admit that the problem exists. They are still bound by Filipino customs, traditions and attitudes dictating that a family remains intact at all cost (usually at the expense of women's emotional and physical well-being). Marital rape is still largely unacknowledged owing to the erroneous belief that marriage gives the husband full and unequivocal sexual access to his wife. Filipino women have yet to recognize that a woman has the right to refuse sexual relations, even with her husband, if it is against her will.

327. An indicator of the increasing recognition and attention being given to non-harmonious family relations, particularly domestic violence and violence against women, in general, is the number of bills which have been filed on the matter.

Policy developments

(1) Senate Bill No. 1413 and House Bill No. 4228 (Anti-Rape Act) provide for the inclusion of marital rape in the classification of rape where the wife could file charges against her husband.

(2) Senate Bill No. 1726 (Anti-domestic Violence Bill) seeks to penalize repeated acts of wife-beating.

(3) Senate Bill No. 408 provides a heavier penalty for habitual wife-beating and provides for the victim's protection as well as temporary support and other privileges.

(4) House Bill No. 12399 (Wife-cruelty Bill) defines wife-cruelty as a combination of and repeated psychological and physical assault.

Programme/project developments

(1) "Wakasan: Karahasan Laban sa Kababaihan sa Loob ng Tahanan": (Stop Domestic Violence Against Women) is a project which, among other things, convened a national conference on the prevention of family violence in 1994-1995. This was a series of nationwide consultations on the prevention of family violence spearheaded by the Women's Crisis Center (WCC) and the Senate Committee on Women and Family Relations.

(2) In 1993, a nationwide training for policewomen consisting of gender-sensitivity and orientation on violence against women with cross-training on police investigation was undertaken by NCRFW in cooperation with WCC and Kalakasan, two non-governmental organizations providing services for victims of domestic violence. Trainees were the officers and staff of the Philippine national police women's desks, which were established in strategic police stations to handle cases of violence against women.

(3) Community-based para-legal training on violence against women is being conducted by the Women's Legal Bureau and Harnessing Self-reliant Initiatives and Knowledge, Inc. (HASIK), non-governmental organizations providing legal services to women.

(4) The Women's Crisis Center has continuing special training on feminist counselling and crisis intervention for victims and survivors of violence against women given to different women's groups, community organizations, service providers and advocates.

(5) In 1994, NCRFW published a Primer on Domestic Violence which is intended for the women victims themselves; friends, relatives, and neighbours of the victims; policy makers; and implementors in government agencies and non-governmental organizations. The Primer contains: situation regarding domestic violence (reasons for its prevalence, who are the perpetuators and victims, types of domestic violence etc.); and status of response to the problem (Philippine laws, and direct services for victims etc.).

(6) The setting up of a pilot hospital-based women's crisis centre under the project Hospital Assistance for Women Victims/Survivors of Violent Environment (HAVEN), a joint project of NCRFW, WCC and the Department of Health. While the project is still in the difficult take-off stage, the proponents are hopeful that it will lead to replication in other government hospitals in the regions.

(7) The NORFIL Foundation, Inc., licensed to operate as a family/child welfare and community development organization, supports the role of women in transforming communities through the following:

(a) The Integrated Family and Community Development Program integrates community development with social services for marginalized individuals and families. Among its components are: day-care services which provide a safe environment where working mothers can leave their children under the supervision of other mothers trained by NORFIL; and the Training and Rehabilitation Center for Women, which is a centre for unwed mothers;

(b) The Integrated Family and Child Welfare Program provides social services for unmarried expectant mothers. NORFIL maintains three residential facilities for unwed mothers and their babies in Metro Manila, Cebu City and Baguio City.